

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1709*

Short Title: Trade Jobs for Success/Funds. (Public)

Sponsors: Representatives Barnhart, L. Johnson, Luebke (Primary Sponsors);
Carney, Coates, Goodwin, and Steen.

Referred to: Appropriations.

May 27, 2004

A BILL TO BE ENTITLED

1 AN ACT ESTABLISHING THE TRADE JOBS FOR SUCCESS INITIATIVE TO
2 STIMULATE JOB GROWTH AND HIRING IN NORTH CAROLINA AND
3 APPROPRIATING FUNDS FOR THAT PURPOSE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** There is appropriated from the General Fund to the
7 Department of Commerce the sum of one million five hundred thousand dollars
8 (\$1,500,000) for the 2004-2005 fiscal year for the Trade Jobs for Success initiative
9 established by this act.

10 **SECTION 1.(b)** There is appropriated from the General Fund to the
11 Community Colleges System Office the sum of seven hundred fifty thousand dollars
12 (\$750,000) for the 2004-2005 fiscal year to help fund participation of local community
13 colleges in the Trade Jobs for Success initiative.

14 **SECTION 1.(c)** Prior to the granting of a waiver by the U.S. Department of
15 Labor, the funds appropriated in subsection (a) of this section shall be used to start-up
16 the initiative. It is the intent of the General Assembly to appropriate additional State
17 funds for the initiative in the 2005-2006 fiscal year as may be necessary to supplement
18 federal funds and to further stimulate job growth and hiring in the State.

19 **SECTION 2.** The Department of Commerce, in cooperation with the
20 Employment Security Commission and the North Carolina Community College System
21 shall begin implementation of the Trade Jobs for Success initiative in the counties
22 hardest hit by trade impacted job losses and the resulting decline of traditional North
23 Carolina industries including the textile, clothing, and furniture industries and other
24 manufacturing operations. Counties having an unemployment rate of eight percent (8%)
25 or more shall receive priority consideration.

26 **SECTION 3.** The Employment Security Commission shall take all actions
27 practicable to obtain from the U.S. Department of Labor as quickly as possible a waiver
28 under the Trade Adjustment Act to allow the Trade Jobs for Success initiative to (i)

1 serve persons regardless of their age, (ii) use unemployment funds to provide direct
2 monetary incentives to participating employers and direct income to eligible workers in
3 the retraining program, and (iii) use funds for in-State relocation assistance. Waivers
4 shall be sought for other program components, as appropriate.

5 **SECTION 4.** The Department of Commerce shall seek, and may receive,
6 private grants and federal funds for the Trade Jobs for Success initiative.

7 **SECTION 5.** Article 10 of Chapter 143B of the General Statutes is amended
8 by adding a new Part to read:

9 "Part 3C. Trade Jobs For Success.

10 **"§ 143B-438.15. Legislative findings and purpose.**

11 (a) The General Assembly finds that State, national, and global economic
12 conditions and the passage of international trade agreements have impacted the State
13 workforce adversely and resulted in significant losses in the availability of jobs in
14 manufacturing and the State's other traditional industries. Further, the General
15 Assembly finds that business and plant closings, the weakened State economy, and
16 lengthening periods of unemployment have taken a toll on communities across the
17 State. It is prudent to address the loss of jobs by establishing a statewide initiative to
18 create more jobs for our citizens.

19 (b) It is the policy of this State to stimulate job growth and hiring by investing in
20 the effective retraining of trade-affected displaced workers while partnering with private
21 business to help those citizens learn new skills for new jobs through on-the-job training
22 and educational assistance.

23 (c) The purpose of this Part is to establish the Trade Jobs for Success initiative to
24 stimulate job growth and hiring in the State and to assist displaced workers affected by
25 trade-impact business closings. The aim of the Trade Jobs for Success initiative shall be
26 to partner with private business to move displaced workers into new jobs while allowing
27 for a dignified transition from unemployment back to employment.

28 **"§ 143B-438.16. Trade Jobs for Success initiative established; funds; program**
29 **components and guidelines.**

30 (a) There is established within the Department of Commerce the Trade Jobs for
31 Success (TJS) initiative. The Department of Commerce shall lead the TJS initiative in
32 cooperation with the Employment Security Commission and the Community Colleges
33 System Office.

34 (b) There is created in the Department of Commerce a special, nonreverting fund
35 called the Trade Jobs for Success Fund (Fund). The Fund shall be used to implement the
36 TJS initiative. The Department of Commerce shall develop guidelines for
37 administration of the TJS initiative and the Fund. An advisory council shall assist the
38 Secretary of Commerce in the administration of the Fund. The members of the advisory
39 council shall include:

40 (1) The Chairman of the Employment Security Commission or that
41 officer's designee.

42 (2) The President of the Community Colleges System or that officer's
43 designee.

44 (3) The state Auditor or that officer's designee.

- 1 (4) A representative of a statewide association to further the interests of
2 business and industry in North Carolina designated by the Secretary of
3 Commerce.
- 4 (c) At a minimum, the Trade Jobs for Success initiative shall include the
5 following programmatic components:
- 6 (1) Displaced workers participating in the TJS initiative shall receive (i)
7 on-the-job training to learn new job skills and (ii) educational
8 assistance or remedial education specifically designed to help
9 displaced workers qualify for new jobs.
- 10 (2) Displaced workers participating in the TJS initiative shall not lose their
11 eligibility for unemployment insurance benefits while they are in the
12 program and may receive wage supplements, as appropriate.
- 13 (3) In-State relocation assistance, in appropriate instances, where
14 participating individuals must relocate to work for participating
15 employers.
- 16 (4) Mentoring, both on and off the job, shall be provided to participants in
17 a dignified manner through telephone assistance and other appropriate
18 means.
- 19 (5) Financial assistance and other incentives may be provided to
20 participating employers who provide jobs to participating displaced
21 workers to help defray the costs of providing the on-the-job training
22 opportunities.
- 23 (6) Work provided by participating employers as part of the TJS initiative
24 must be full-time employment. Wages paid shall not be less than the
25 hourly entry-level wage normally paid by the employer.
- 26 (7) Staff of the Employment Security Commission, in conjunction with
27 staff of the Department of Commerce, shall match participating
28 displaced workers to the most suitable employer.
- 29 (8) Local Employment Security Commission offices and community
30 colleges shall enter into partnership agreements with local chambers of
31 commerce, and other appropriate organizations, that would encourage
32 employer participation in the TJS initiative.
- 33 (9) Tracking of participating individuals and businesses by the
34 Department of Commerce and the Employment Security Commission
35 to assure program integrity and effectiveness and the compilation of
36 data to generate the reports necessary to evaluate the success of the
37 TJS initiative.
- 38 (10) Coordination and integration of existing programs in the Department
39 of Commerce, the Employment Security Commission, and the North
40 Carolina Community College System in a manner that maximizes the
41 flexibility of these agencies to effectively assist participating
42 individuals and businesses.

43 **§ 143B-438.17. Reporting.**

1 The Department of Commerce, in conjunction with the Employment Security
2 Commission and the Community Colleges System Office, shall publish a quarterly
3 report on the Trade Jobs for Success initiative. The report shall provide information on
4 the commitment, disbursement, and use of funds and the status of any grant proposals or
5 wavers requested on behalf of the Trade Jobs for Success initiative. The report shall
6 also include legislative proposals and recommendations regarding statutory changes
7 needed to maximize the effectiveness and flexibility of the TJS initiative. Copies of the
8 report shall be provided to the Joint Legislative Commission on Governmental
9 Operations, to the chairs of the Senate and House of Representatives Appropriations
10 Committee, and to the Fiscal Research Division of the General Assembly."

11 **SECTION 6.** This act becomes effective July 1, 2004.