

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 8

Session of  
1987

INTRODUCED BY VEON, IRVIS, MANDERINO, PIEVSKY, COHEN, O'DONNELL,  
D. R. WRIGHT, ITKIN, DOMBROWSKI, F. TAYLOR, FEE, STEWART,  
KUKOVICH, MICHLOVIC, CARN, OLIVER, KOSINSKI, ACOSTA, TRUMAN,  
ROEBUCK, STUBAN, COWELL, DeLUCA, CAPPABIANCA, BALDWIN,  
SHOWERS, PRESTON, FATTAH, LINTON, WIGGINS, JOSEPHS, DEAL,  
GRUITZA, COLAFELLA, PISTELLA, RUDY, WASS, FOX, COY,  
PRESSMANN, HARPER, LESCOVITZ, LIVENGOD, MORRIS, FREEMAN AND  
STEIGHNER, MARCH 18, 1987

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 8, 1987

## AN ACT

1 Providing that certain funds received under the Federal Job  
2 Training Partnership Act shall be used to provide support  
3 services related to job training; and providing for  
4 eligibility for such services.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the DISLOCATED  
9 WORKER Training Assistance Act. <—

10 Section 2. Statement of purpose.

11 It is the intention of the General Assembly that ~~job training~~ <—  
12 ~~opportunities be available to those who most need training in~~  
13 ~~order to obtain life sustaining employment. The purpose of this~~  
14 ~~act is to ensure that individuals~~ DISLOCATED WORKERS without <—  
15 adequate means of support to meet their basic personal needs may

1 receive support services necessary to enroll in and remain in  
2 appropriate job training programs AND TO ENCOURAGE DISLOCATED <—  
3 WORKERS TO ENROLL IN TRAINING PROGRAMS IN AN EXPEDITIOUS MANNER  
4 AFTER THEIR LAY-OFF NOTICE IS RECEIVED.

5 ~~Section 3. Establishment of needs based payment fund by private <—~~  
6 ~~industry councils.~~

7 ~~Each private industry council established pursuant to the Job~~  
8 ~~Training Partnership Act (Public Law 97-300, 96 Stat. 1322)~~  
9 ~~shall set aside a minimum of 5% of funds received under Part A~~  
10 ~~of Title II of the Job Training Partnership Act to establish a~~  
11 ~~fund to provide needs based payments to individuals in~~  
12 ~~particularly vulnerable economic situations, in order that they~~  
13 ~~might fully participate in training programs available under the~~  
14 ~~Job Training Partnership Act sponsored by the private industry~~  
15 ~~council. Private industry councils shall be eligible to receive~~  
16 ~~State matching funds of \$1 for every \$2 of Job Training~~  
17 ~~Partnership Act funds set aside for needs based payments. State~~  
18 ~~matching payments shall be applicable only to the first 5% of~~  
19 ~~the total Part A of Title II of the Job Training Partnership Act~~  
20 ~~funds set aside for needs based payments. Matching funds shall~~  
21 ~~be used solely for needs based payments.~~

22 ~~Section 4. Eligibility for needs based payments.~~

23 ~~(a) Needs based payments for individuals without other~~  
24 ~~income. Needs based payments shall be provided to individuals~~  
25 ~~participating in training who do not have any other source of~~  
26 ~~income in an amount as close to, but not exceeding, the amount~~  
27 ~~of \$8 a day for each day of training which they attend. These~~  
28 ~~payments are to help defray the costs of transportation and to~~  
29 ~~help the participant meet his basic needs while in training.~~

30 ~~Each private industry council must assure that payments are~~

~~disallowed for days of training which the participant fails to attend, regardless of cause.~~

~~(b) Needs based payments for individuals with other income. Needs based payments may also be provided to individuals who have income from unemployment compensation, public assistance or other sources in order to help defray the costs of participation in training. Payments made to individuals under this section shall not exceed \$5 a day for each day of training which they attend. Each private industry council must assure that payments are disallowed for days of training which the participant fails to attend, regardless of cause.~~

~~(c) Payments for individuals exhausting unemployment compensation benefits while participating in a training program. Needs based payments shall be provided to individuals participating in training who exhaust unemployment compensation payments during a training course and are not eligible for cash assistance payments pursuant to the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in an amount not exceeding \$177 a month. These payments are to help the participant meet his basic needs while in training. Each private industry council must assure that monthly payments are reduced accordingly for days of training which the participant fails to attend, regardless of cause. Payments under this section shall be limited to three months in any calendar year.~~

~~(d) Need for needs based payments in excess of available funds. Where need for needs based payments exceeds available funds, local private industry councils shall tighten eligibility criteria or reduce benefits for needs based payments. Every effort shall be made to provide assistance with funds available to those with the lowest incomes. Private industry councils~~

1 ~~shall collect data on the need for such payments and the extent~~  
2 ~~to which they are able to meet the needs and shall submit a~~  
3 ~~yearly report to the Department of Labor and Industry no later~~  
4 ~~than November 30 each year. The Department of Labor and Industry~~  
5 ~~shall compile the reports from the private industry councils and~~  
6 ~~submit to the General Assembly, no later than January 31 each~~  
7 ~~year, a Statewide report on the need for needs based payments~~  
8 ~~and the ability of private industry councils to meet these needs~~  
9 ~~with available funds. The General Assembly shall have complete~~  
10 ~~access to all data upon which the annual report is based.~~

11 ~~(c) Employment or training services. Individuals who are~~  
12 ~~otherwise eligible for employment or training services may not~~  
13 ~~be denied such services by reason of being eligible for needs-~~  
14 ~~based payments.~~

15 ~~(f) Definition. As used in this section the term "income,"~~  
16 ~~for the purpose of determining eligibility for needs based~~  
17 ~~payments, means all income from whatever source derived,~~  
18 ~~including, but not limited to, salaries, wages, bonuses,~~  
19 ~~commissions, income from self employment, alimony, support~~  
20 ~~money, cash public assistance and relief, the gross amount of~~  
21 ~~any pensions or annuities (including railroad retirement~~  
22 ~~benefits), all benefits received under the Social Security Act~~  
23 ~~(except Medicare benefits), all benefits received under State~~  
24 ~~unemployment insurance laws and veterans' disability payments,~~  
25 ~~all interest received from the Federal or any state government,~~  
26 ~~or any instrumentality or political subdivision thereof,~~  
27 ~~realized capital gains, rentals, workmen's compensation and the~~  
28 ~~gross amount of loss of time insurance benefits, life insurance~~  
29 ~~benefits and proceeds (except the first \$5,000 of the total of~~  
30 ~~death benefit payments), and gifts of cash or property (other~~

~~than transfers by gift between members of a household) in excess  
of a total value of \$300, but does not include surplus food or  
other relief in kind supplied by a governmental agency or  
property tax or rent rebate or inflation dividend.~~

SECTION 3. DEFINITIONS.

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THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
CONTEXT CLEARLY INDICATES OTHERWISE:

"DEPARTMENT." THE DEPARTMENT OF LABOR AND INDUSTRY OF THE  
COMMONWEALTH.

"DISLOCATED WORKER." INDIVIDUALS WHO ARE ELIGIBLE UNDER  
SECTION 302 OF THE JOB TRAINING PARTNERSHIP ACT (PUBLIC LAW 97-  
300, 96 STAT. 1322).

SECTION 4. ESTABLISHMENT OF NEEDS-BASED PAYMENT FUND BY GRANT  
RECIPIENTS.

EVERY ENTITY WHO APPLIES FOR A GRANT UNDER TITLE III OF THE  
JOB TRAINING PARTNERSHIP ACT (PUBLIC LAW 97-300, 96 STAT. 1322),  
MAY APPLY FOR ADDITIONAL FUNDS UNDER THIS ACT TO SUPPORT NEEDS-  
BASED PAYMENTS FOR DISLOCATED WORKERS ENROLLED IN THOSE PROGRAMS  
ON A FORM AND IN THE MANNER PRESCRIBED BY THE DEPARTMENT.

SECTION 5. ELIGIBILITY FOR NEEDS-BASED PAYMENTS.

(A) ELIGIBLE INDIVIDUALS.--INDIVIDUALS ELIGIBLE FOR NEEDS-  
BASED PAYMENTS UNDER THIS ACT ARE DISLOCATED WORKERS WHO MEET  
ALL OF THE FOLLOWING REQUIREMENTS:

- (1) THEY ARE ENROLLED IN A TITLE III PROGRAM.
- (2) THEY ARE NOT EARNING A WAGE.
- (3) THEIR UNEMPLOYMENT COMPENSATION PAYMENTS HAVE BEEN  
EXHAUSTED UNDER ANY STATE OR FEDERAL PROGRAM, INCLUDING  
SPECIFIC ELIGIBILITY UNDER THE TRADE ACT OF 1974 (93-618, 19  
U.S.C. § 2101 ET SEQ.), AS AMENDED.

1 INDIVIDUALS WHO ARE OTHERWISE ELIGIBLE FOR EMPLOYMENT OR  
2 TRAINING SERVICES MAY NOT BE DENIED SUCH SERVICES BY REASON OF  
3 BEING ELIGIBLE FOR NEEDS-BASED PAYMENTS WHICH COULD BE PROVIDED  
4 UNDER THIS ACT.

5 (B) LEVEL OF PAYMENT.--NEEDS-BASED PAYMENTS SHALL BE  
6 AUTHORIZED SO EACH RECIPIENT OF A TITLE III GRANT WOULD BE  
7 PERMITTED TO ESTABLISH A LEVEL OF PAYMENT TAILORED TO THE  
8 ECONOMY OF THE LOCAL AREA AND THE INDIVIDUAL NEED OF EACH  
9 DISLOCATED WORKER.

10 (C) EXTENT OF PAYMENT.--PAYMENTS SHALL BE MADE UP TO THE  
11 EXTENT TO WHICH FUNDS ARE APPROPRIATED FOR THE PROGRAM.

12 (D) SUSPENSION OF PAYMENT.--EACH RECIPIENT OF A TITLE III  
13 GRANT MUST ASSURE THAT PAYMENTS ARE DISALLOWED FOR DAYS OF  
14 TRAINING WHICH THE PARTICIPANT FAILS TO ATTEND, REGARDLESS OF  
15 CAUSE.

16 (E) FINAL APPROVAL.--FINAL APPROVAL OF THE NEEDS-BASED  
17 PAYMENT SYSTEM SHALL REST WITH THE DEPARTMENT.

18 SECTION 6. INCENTIVE BONUSES.

19 THE DEPARTMENT MAY ALSO FUND DEMONSTRATION PROJECTS WHICH  
20 OFFER INCENTIVE BONUSES FOR THOSE DISLOCATED WORKERS WHO ENTER  
21 AN EMPLOYMENT AND TRAINING PROGRAM UNDER THE JOB TRAINING  
22 PARTNERSHIP ACT (PUBLIC LAW 97-300, 96 STAT. 1322), IF  
23 ENROLLMENT TAKES PLACE WITHIN THE FIRST SIX WEEKS OF BEING  
24 DETERMINED ELIGIBLE FOR UNEMPLOYMENT INSURANCE PAYMENTS. THE  
25 EXTENT AND DURATION OF SUCH PAYMENTS SHALL BE DETERMINED BY THE  
26 RECIPIENT OF A TITLE III GRANT, BUT THE PAYMENT SYSTEM SHALL BE  
27 APPROVED BY THE DEPARTMENT.

28 SECTION 7. DISLOCATED WORKER PROGRAMS.

29 FUNDS NOT ALLOCATED FOR USE FOR NEEDS-BASED PAYMENTS OR BONUS  
30 PAYMENTS SHALL BE USED FOR GENERAL EMPLOYMENT AND TRAINING

1 PROGRAMS FOR DISLOCATED WORKERS.

2 SECTION 8. REPORTING.

3 THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY,  
4 NO LATER THAN JULY 31 EACH YEAR ON THE NEED FOR NEEDS-BASED  
5 PAYMENTS IN TITLE III PROGRAMS. THE GENERAL ASSEMBLY SHALL HAVE  
6 COMPLETE ACCESS TO ALL DATA UPON WHICH THE ANNUAL REPORT IS  
7 BASED.

8 Section ~~5~~ 9. Effective date.

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9 This act shall take effect July 1, 1987.