

HUMAN SERVICES**(a)****DIVISION OF FAMILY DEVELOPMENT****Notice of Readoption****Ruling Number 11****Readoption: N.J.A.C. 10:109**

Authority: N.J.S.A. 30:1-12.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Effective Date: April 19, 2023.

New Expiration Date: April 19, 2030.

Take notice that, in accordance with N.J.S.A. 52:14B-5.1, N.J.A.C. 10:109, Ruling Number 11, is readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on July 26, 2023. The Division of Family Development (DFD) has reviewed the rules and determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted without change. The new expiration date for N.J.A.C. 10:109 is seven years from the submission date of the notice to the Office of Administrative Law.

N.J.A.C. 10:109 sets forth the rules concerning the public assistance staff development program. The purpose of public assistance staff development is to support the county welfare agencies (CWAs) in achieving their operating goals effectively and efficiently. The quality and extent of service an agency is able to provide is dependent on the competence and skill of the staff charged with delivering those services to the public. Therefore, increasing the competence of staff in order to ensure the highest quality of service is a continuing objective. Staff development and training activities based on yearly needs assessments conducted by CWA training staff will be provided through in-service resources, and outsourced when funding is available.

The following is a description of N.J.A.C. 10:109:

N.J.A.C. 10:109-1.1 sets forth the objectives of the public assistance staff development program.

N.J.A.C. 10:109-1.2 provides that the director of the CWA shall be responsible for the administration of the training and staff development function of the agency.

N.J.A.C. 10:109-1.3 includes information regarding the overall objectives and guidelines for establishing a training advisory committee. The committee shall include representation from clerical, para-professional, professional, supervisory, administrative staff, and/or any other groups deemed necessary to the agency.

N.J.A.C. 10:109-1.4 includes information about the required components of the staff development and training program. Required components of a CWA staff development program shall include a mandated orientation program for new employees, ongoing training related to each of the public assistance programs supervised by the DFD and administered by the CWA, ongoing training concerning the use of all required management information systems, a training program that provides for necessary skills development of CWA managers and supervisors, a general skills development program for all agency staff based on individually assessed needs related to current job responsibilities and career/professional development opportunities, as funds permit, for all staff, that are offered as a means of upward mobility within the agency.

N.J.A.C. 10:109-1.5 includes information as to the required reporting of training activities, including the reporting of such training activities to the DFD.

LABOR AND WORKFORCE DEVELOPMENT**(b)****DIVISION OF UNEMPLOYMENT INSURANCE****Unemployment Benefit Payments****Readoption with Amendments: N.J.A.C. 12:17**

Proposed: December 19, 2022, at 54 N.J.R. 2366(a).

Adopted: April 25, 2023, by Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Filed: April 20, 2023, as R.2023 d.064, **without change**.

Authority: N.J.S.A. 43:21-1 et seq., specifically, 43:21-7.g.

Effective Dates: April 20, 2023, Readoption;
May 15, 2023, Amendments.

Expiration Date: April 20, 2030.

Summary of Hearing Officer's Recommendations and Agency's Responses:

The period for submission of written comments regarding the proposed readoption with amendments ended on February 17, 2023. The Department of Labor and Workforce Development (Department) received no written comments. Therefore, David Fish, Executive Director of Legal and Regulatory Services for the Department, recommended that the Department proceed with the readoption with amendments without change.

Summary of Public Comment and Agency Response:**No comments were received.****Federal Standards Statement**

The rules readopted with amendments do not exceed standards or requirements imposed by Federal law. Specifically, the rules readopted with amendments are not inconsistent with the Federal Unemployment Tax Act, 26 U.S.C. §§ 3301 et seq. Consequently, no Federal standards analysis is required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 12:17.

Full text of the adopted amendments follows:**SUBCHAPTER 12. CLAIMS ADJUDICATION –OTHER BENEFIT ELIGIBILITY ISSUES****12:17-12.2 Labor disputes**

(a) (No change.)

(b) A claimant shall be disqualified from unemployment insurance benefits if he or she is unemployed due to a work stoppage that occurs because of a labor dispute at the factory, establishment, or other premises at which the claimant is or was last employed.

(c) No disqualification pursuant to (b) above shall occur if it is shown by the claimant, or a representative of the claimant, that:

1. The claimant is not participating in, or financing or directly interested in, the labor dispute that caused the stoppage of work; and

2. The claimant does not belong to a grade or class of workers employed at the factory, establishment, or other premises where the work stoppage occurred, any of whose members are participating in or financing or directly interested in the labor dispute.

(d) No disqualification pursuant to (b) above shall occur if it is shown by the claimant, or a representative of the claimant, that:

1. The claimant has been prevented from working by the employer, even though the claimant's recognized or certified majority representative has directed the employees in the claimant's collective bargaining unit to work under the preexisting terms and conditions of employment; and

2. The employees had not engaged in a strike immediately before being prevented from working.

(e) No disqualification pursuant to (b) above shall occur if it is shown by the claimant, or a representative of the claimant, that the labor dispute is caused by the failure or refusal of the employer to comply with: