

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 368

Final Reading

Introduced by Crawford, 45; Mello, 5.

Read first time January 18, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to employment; to state findings; to define
2 terms; to create and provide for a subsidized employment
3 pilot program; to provide powers and duties for the
4 Department of Health and Human Services and the
5 Department of Labor; to provide for termination of the
6 program; to state intent relating to appropriations; and
7 to provide an operative date.

8 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Legislature finds that:

2 (1) Work experience is necessary to obtain employment in
3 a competitive job market;

4 (2) Businesses find creating capacity to add employees
5 during a time of economic recovery challenging;

6 (3) Subsidized employment can benefit employers and
7 workers in need of experience;

8 (4) Increasing opportunities for public assistance
9 recipients to engage in meaningful workplace experience can
10 significantly contribute to their long-term employability;

11 (5) Providing subsidized employment can also help
12 businesses to grow; and

13 (6) States nationwide provide subsidized employment to
14 public assistance recipients in order to aid employers in developing
15 work placements for public assistance recipients.

16 Sec. 2. For purposes of sections 1 to 7 of this act:

17 (1) Aid to dependent children program means the program
18 described in section 43-512; and

19 (2) Participant means an individual who qualifies for the
20 aid to dependent children program services with a family income equal
21 to or less than two hundred percent of the Office of Management and
22 Budget income poverty guideline.

23 Sec. 3. (1) The Subsidized Employment Pilot Program is
24 created within the Department of Health and Human Services to provide
25 opportunities for employers and participants in the aid to dependent

1 children program to achieve subsidized employment.

2 (2) The department shall establish a partnership between
3 an entity which contracts with the department pursuant to section
4 68-1722 to provide case management services in the aid to dependent
5 children program and a nonprofit organization.

6 (3) The Department of Labor may establish a partnership
7 with the nonprofit organization described in subsection (2) of this
8 section to assist in the referral of participants and employers for
9 the pilot program.

10 (4) The nonprofit organization described in subsection
11 (2) of this section shall:

12 (a) Establish an application process for employers to
13 participate in the pilot program. Such application process shall
14 include, but not be limited to, a requirement that employer
15 applicants submit a plan including, but not limited to, the following
16 criteria:

17 (i) Initial client assessment, job development, job
18 placement, and employment retention services;

19 (ii) A strategy to place participants in in-demand jobs;

20 and

21 (iii) Other program guidelines or criteria for the pilot
22 program as needed;

23 (b) Recruit participants for the pilot program, with
24 assistance from the Department of Health and Human Services, the
25 Department of Labor, and an entity which contracts with the

1 department pursuant to section 68-1722 to provide case management
2 services in the aid to dependent children program;

3 (c) Recruit employers for the pilot program, with
4 assistance from the Department of Labor;

5 (d) Determine participant eligibility for the pilot
6 program and assist with employer and employee matching;

7 (e) Ensure that the pilot program operates in both rural
8 and urban areas. To ensure that the pilot program operates in both
9 rural and urban areas, such nonprofit organization may enter into
10 subcontracts with other nonprofit entities;

11 (f) Gather the data and performance measures as described
12 in section 5 of this act; and

13 (g) Submit an electronic report on or before September 15
14 of each year to the Health and Human Services Committee of the
15 Legislature containing the data and performance measures described in
16 section 5 of this act.

17 Sec. 4. Subsidies under the Subsidized Employment Pilot
18 Program created pursuant to section 3 of this act shall be capped at
19 the prevailing wage and shall be provided for no more than forty
20 hours per week for not more than six months, on the following scale:

21 (1) One hundred percent in months one and two;

22 (2) Seventy-five percent in month three;

23 (3) Fifty percent in months four and five; and

24 (4) Twenty-five percent in month six.

25 Sec. 5. The nonprofit organization described in

1 subsection (2) of section 3 of this act shall ensure the gathering
2 and reporting of the following performance measures:

3 (1) Number of employees participating in the Subsidized
4 Employment Pilot Program;

5 (2) Length of time each employee has participated in the
6 program;

7 (3) Wages paid to employees in the program;

8 (4) Employment status of each employee at completion of
9 his or her participation in the program, six months after such
10 completion, and twelve months after such completion;

11 (5) Wages of each employee at completion of his or her
12 participation in the program, six months after such completion, and
13 twelve months after such completion;

14 (6) Number of employers participating in the program; and

15 (7) Length of time each employer has participated in the
16 program.

17 Sec. 6. The Subsidized Employment Pilot Program created
18 under section 3 of this act terminates on July 1, 2018.

19 Sec. 7. The Department of Health and Human Services may
20 adopt and promulgate rules and regulations to carry out sections 1 to
21 6 of this act.

22 Sec. 8. It is the intent of the Legislature to
23 appropriate one million dollars each fiscal year for FY2014-15 to
24 FY2017-18 from funds available to the federal Temporary Assistance
25 for Needy Families program, 42 U.S.C. 601 et seq., as such sections

1 existed on January 1, 2013, to carry out sections 1 to 6 of this act.
2 No more than ten percent of the funds appropriated to carry out
3 sections 1 to 6 of this act shall be used for administrative costs.
4 Administrative cost shall not be defined to include cost for service
5 delivery. Any of such funds which are unexpended on June 30, 2018,
6 shall lapse to the federal Temporary Assistance for Needy Families
7 program on such date.

8 Sec. 9. This act becomes operative on July 1, 2014.