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# *Committee Meeting*

of

## JOINT COMMITTEE ON ECONOMIC JUSTICE AND EQUAL EMPLOYMENT OPPORTUNITY

*“The Committee will meet to organize and elect Co-Chairs”*

*The Committee will hear testimony regarding the implementation of P.L.2009, c.313 (C.52:38-7)  
and other laws and policies designed to foster opportunities for women  
and minority group members to advance in the construction industry”*

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**LOCATION:** Committee Room 1  
State House Annex  
Trenton, New Jersey

**DATE:** December 11, 2018  
10:00 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Senator Ronald L. Rice, Co-Chair  
Assemblyman Benjie E. Wimberly, Co-Chair  
Senator Shirley K. Turner  
Senator Chris A. Brown  
Assemblywoman Verlina Reynolds-Jackson



### **ALSO PRESENT:**

Jamie E. Galemba  
Juan C. Rodriguez  
*Office of Legislative Services  
Committee Aides*

Fruqan Mouzon  
*Senate Majority  
Rebecca Panitch  
Senate Republican  
Committee Aides*

Sherwood Goodenough  
*Assembly Majority  
Derek DeLuca  
Assembly Republican  
Committee Aides*

***Meeting Recorded and Transcribed by  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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RONALD L. RICE  
CHRIS A. BROWN  
GABRIELA M. MOSQUERA  
NELLIE POU  
VERLINA REYNOLDS-JACKSON  
HOLLY T. SCHEPISI  
BRITNEE N. TIMBERLAKE  
SHIRLEY K. TURNER  
LORETTA WEINBERG  
BENJIE E. WIMBERLY

**New Jersey State Legislature**  
**JOINT COMMITTEE ON ECONOMIC JUSTICE AND**  
**EQUAL EMPLOYMENT OPPORTUNITY**  
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REVISED

COMMITTEE NOTICE

TO: MEMBERS OF THE JOINT COMMITTEE ON ECONOMIC JUSTICE AND EQUAL  
EMPLOYMENT OPPORTUNITY

FROM: SENATOR RONALD L. RICE

SUBJECT: COMMITTEE MEETING - DECEMBER 11, 2018

*The public may address comments and questions to Jamie E. Galembo, Juan C. Rodriguez, Committee Aides, or make bill status and scheduling inquiries to Cynthia D. Petty, Secretary, at (609)847-3845 or fax number (609)777-2998. Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.*

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**The Joint Committee on Economic Justice and Equal Employment Opportunity will meet on Tuesday, December 11, 2018 at 10:00 AM in Committee Room \*1, First Floor, State House Annex, Trenton, New Jersey.**

The committee will meet to organize and elect co-chairs.

The committee will hear testimony regarding the implementation of P.L.2009, c.313 (C.52:38-7) and other laws and policies designed to foster opportunities for women and minority group members to advance in the construction industry.

Issued 12/5/18

\*Revised 12/6/18 – Meeting moved to Committee Room 1

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**SENATOR RONALD L. RICE (Co-Chair):** First of all, let me just thank everybody for taking the time off to be here this morning.

This is a meeting of the Joint Committee on Economic Justice and Equal Employment Opportunity.

The purpose of this meeting today is reorganization; and we're also going to have some testimony coming in from the Department of Labor.

So before we get started, I'm just going to, probably, shift the agenda a little bit, because I believe some other members may be coming. Let me see who's here. Is there anyone who is not coming on your side? Loretta is not coming, right? Senator Weinberg is not coming, so we're okay over here.

Assemblyman Wimberly, on the Assembly side, are there any members who you know are not going to be participating?

**ASSEMBLYMAN BENJIE E. WIMBERLY (Co-Chair):** Yes.

**SENATOR RICE:** Okay; which ones? Are they up here?

**ASSEMBLYMAN WIMBERLY:** Timberlake.

**SENATOR RICE:** Timberlake? Okay; so who's--

**UNIDENTIFIED MEMBER OF COMMITTEE:** And Assemblywoman Schepisi.

**ASSEMBLYMAN WIMBERLY:** Schepisi.

**SENATOR RICE:** Okay; so--

**UNIDENTIFIED MEMBER OF COMMITTEE:** Assemblywoman Mosquera will not be here.

**SENATOR RICE:** She won't be here? Okay.

So all right. So we're going to do this a little bit differently.

All right; first of all, let me have the members identify themselves who are here. We'll do a roll call of that.

But I want to just start by saying I'm New Jersey State Senator Ronald L. Rice, for the record. I'm the sponsor of Concurrent Resolution No. 25, which is something we did back in 2016, to create this Committee. This Committee is very important to women and minorities, particularly throughout the State of New Jersey. And as I have said in the past, oftentimes the issues that plague us, and we're concerned with, do not come up to be discussed and vetted in the many committees that we do have. And many times that's because the Chairs of those committees don't really take an interest in our concerns. And sometimes a committee is inundated with all kinds of legislation, so they set their priorities.

And we said, some time ago, that that can't be the case. And so the Legislative Black Caucus members took the lead and we met with Senate President Sweeney and the Speaker at that time, Prieto, and we got support to create this Joint Committee.

And so, for the record, the purpose of this meeting today is to elect the Co-person, Chairperson, of the Joint Committee on Economic Justice and Equal Employment Opportunity. The members of the Senate shall nominate the Senate member from the Senate Caucus to serve as Co-Chair from their house; the members of the Assembly shall nominate the Assembly member from the Assembly Caucus to serve as Co-Chair from their house; and the members of the Joint Committee present on the Economic Justice and Equal Employment Opportunity will vote, as a Committee as a whole, for the nominees.

So what we're going to do is, we're going to change the process a little bit -- unless someone walks in -- because we have two people from the Assembly and we have three of our members from the Senate. And so we won't rely on the two members to do a nomination; we'll all do a nomination, as a whole, from the different sides.

Before we do that, let me just turn and say that the Co-Chair of this Committee, presently, is Assemblyman Ben Wimberly. I would like him to say a few words to you; then I would like to start to my right and have the Assemblywoman, our new member on the Committee -- who is doing a great job in the Legislature, which we expected her to do, because she's not new to government, she's just new to the Assembly -- and we'll have her say a few words. Then we're going to shift to my left, and we're going to have our other Nubian queen, Senator Turner, say a few words. And then we're going to have my good friend Senator Chris Brown have some comments.

And then we'll do the election process; and then we'll have the Commissioner speak.

So, Assemblyman.

ASSEMBLYMAN WIMBERLY: Good morning, Senator; and thank you.

I look forward to working with this Committee. I think this is something that is vital to, you know, not just my District, but for the State of New Jersey. I look forward to, hopefully, Co-Chairing this Committee once again, particularly with the leadership of Senator Rice.

I think this is something that is much needed. The dialogue is needed; we need to know what direction we're going in for, in particular, women and minorities, to move New Jersey forward.

Thank you.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Good morning, everyone.

I want to thank you all for inviting me to participate in this Committee.

It's very, very important for us; and I look forward to working with the Department of Labor just to make sure not just the City of Trenton, but also the State of New Jersey and its residents are treated fair and equitably throughout the process.

So thank you so much for this opportunity.

SENATOR RICE: Senator Turner.

SENATOR TURNER: Thank you, Chairman Rice.

It is a pleasure for me to be here today, and to see all of you here. Because there is no more important issue before us, in the State today, than economic and equal opportunity in the state.

As was mentioned, we formed two years ago; and within those two years we see that we have a lot of work to do. We haven't really progressed that much; we're going to have to do more to make New Jersey more affordable to those people who are struggling just to make ends meet. And we see a lot of important bills that were passed since 2016, and also bills that are before us today, that we need to take a careful look at in order

to ensure that we truly have economic justice for everybody in this state and provide equal opportunity for everybody in this state.

So thank you, and I look forward to working with you again this year, Senator Rice.

SENATOR RICE: Thank you, Senator Turner.

Senator Brown.

SENATOR BROWN: Yes, sir.

First, I'd like to commend Senator Rice for making sure that this Committee continues to move forward, and strives to meet the goals -- which should be everybody's goal -- and that's just to make sure that we include everyone as the state moves forward; and that there is no one who is left behind for any reason.

And so I look forward to working with the Committee. I thank you for the opportunity, and I appreciate what we're working towards.

SENATOR RICE: And thank you very much.

And let me just say, for the record, that it's the end of the year. The Committee started late, primarily because of the transitioning taking place. We were very fortunate to have several members come into the Legislature in both houses, because of people who either left or maybe lost their elections and transitioned to the new Administration.

And so we had to have this meeting prior to the new year coming in, and that's why we are meeting today. And so some of the members had conflicts in schedules. But we'll read into the record what this Committee is about.

Before we do that, I'm going to go ahead and open the floor for nominations for Co-Chairs.



Are there any nominations?

SENATOR TURNER: Mr. Chairman, I would like to nominate Senator Ron Rice, again, to be the Co-Chair of this very important Committee. I don't think there's anyone who is more committed and who has worked harder to provide economic justice and equal opportunity for the people in the State of New Jersey.

SENATOR RICE: Thank you very much.

Is there a second?

SENATOR BROWN: I will second that.

SENATOR RICE: Any other nominations for Co-Chair from the Senate side? (no response)

Hearing none, I'm going to hold up on the vote and go to the Assembly side.

Are there any nominations for Co-Chair from the Assembly house?

ASSEMBLYWOMAN REYNOLDS-JACKSON: I'd like to nominate Assemblyman Benjamin Wimberly for the Co-Chair.

SENATOR RICE: I'll second that.

Are there any other nominations? (no response)

Hearing none, I'm going to close the floor to nominations.

I will ask that the Committee consider, by acclamation, a vote for me, Senator Ron Rice, and Assemblyman Ben Wimberly to continue as Co-Chairs of this Committee.

Would acclamation be okay with everybody? (affirmative responses)

Okay; so I'll call for a vote.

All in favor, say “aye.” (affirmative responses)

Any nays? (no response)

Very good; that concludes that section of our meeting.

Now, with that being said, let me read into the record, because I think it’s important -- particularly for our new members, and for the record -- what this Joint Committee is. It is reconstituted as of today, as of the passing of the legislation, etc.

The Joint Committee on Economic Justice and Equal Employment Opportunity, created by the 216th Legislature, is reconstituted. The Joint Committee shall consist of 10 members of the Legislature from either house, regardless of political party affiliation, who shall be appointed by the President of the Senate and the Speaker of the General Assembly, as appropriate, and nominated as follows: four members nominated by the President of the Senate; one member nominated by the Senate Majority Leader; four members nominated by the Speaker of the General Assembly; and one member nominated by the Assembly Minority Leader.

All members shall serve without compensation, and vacancies in the membership of the Joint Committee shall be filled in the same manner as the original appointments are made.

The Joint Committee shall adopt rules for the operation and the conduct of its business, including the election of a chair or co-chairs as it may determine from among its members, and select a secretary who need not be a member of the Joint Committee.

The Joint Committee is authorized, empowered, and directed to conduct a continuing study of issues concerning economic justice and

equal employment opportunity in this State. The Joint Committee, in its endeavor to study these issues, shall meet and hold hearings at places throughout the State, as it shall designate during the sessions or recesses of the Legislature.

The Joint Committee shall be entitled to call to its assistance and avail itself of the services of the employees of the Legislative Services Commission. The Joint Committee shall also be entitled to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses, as may be authorized by the presiding officers of the houses, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for its purposes.

The Joint Committee shall report its findings to the Legislature on a routine basis, and may make other reports as it deems necessary or desirable.

And it is important that we read that into the record. It's important because the Commissioner of Labor is here -- for him and his Administration to understand the powers of this Committee.

With that being said, I would like to welcome our Commissioner of Labor, and congratulate you on your new role in government here at the State level; and even thank you for what I know of the job that you've been doing in such a short period of time. We expect great things from you.

I also want to say, for the record, that under the past Administration, Governor Christie, we did not get, in this Committee, the kind of cooperation that we wanted. In fact, if anything, there were some abuses. This time around we expect greater participation and cooperation;

because during the course of the campaign, African Americans, Latinos, women, and others met with the now-Governor -- the candidate at the time, and other candidates regarding our concerns. And there were commitments given to our communities, and we will address them.

I also want to say that we have a Chief Diversity Officer in place now in the new Administration; and that came about because of the members of the Legislative Black Caucus and the members of this Committee, the Economic Justice Committee -- Equal Employment Opportunity.

And the whole goal is to put us in a position that New Jersey is doing better with its opportunities. New York is actually going from 2 to 3 percent in procurement and opportunities for women and minorities, to over 30 percent. And the Governor, Governor Cuomo, has given a strong commitment to even increasing that number.

We believe that New Jersey should have been past this 2 or 3 percent 33 years ago. When I first came here, for the record, there were two black people in the New Jersey State Senate, Senator Wynona Lipman and myself. In all those years, when she was here she argued, and when she was deceased I argued, for more participation. Every time we talked to the Department head, we never got beyond 2 or 3 percent. And I think that's a disgrace for New Jersey, and we want to correct that as a Committee; and we're going to do that.

So with that being said, Commissioner, we invited you in to kind of give our Committee members an update as to where you are and what your vision is like. And I can say to you, before you leave, that we're going to be sending you a list of questions that we expect to get answers to

that were not answered adequately and, in some cases, not at all, by the former Administration. And we don't expect -- we're not holding you accountable for them, we just want to find out what happened back then so we'll know how to proceed.

With that being said, it's your mike, Commissioner. Just hit the red button.

**COMMISSIONER ROBERT ASARO - ANGELO:**  
Thank you, Chairman, members of the Committee.

It's my fifth time testifying in this building; I think it's my first time with you, Assemblyman Wimberly, Senator Rice, Senator Turner, and Senator Brown. So thank you for having me here today.

As a point of personal privilege, I want to say I've worn many hats in this State, and I've always been an admirer of Senator Rice and Senator Turner for always fighting, over long periods of time, for folks who face injustice in life or in the workplace; folks who are vulnerable. So I am very happy to be here, and to be your partner.

So thanks for inviting me here to discuss the future of NJBUILD. It's always a privilege to appear before you to talk about the great work being done at the New Jersey Department of Labor. I can say with confidence that the Murphy Administration takes seriously its responsibilities to ensure that New Jersey is building a robust, diverse, skilled workforce; and helping to thrust open the door of opportunity for all residents of the Garden State. The Governor talks a lot about a stronger and fairer New Jersey.

The New Jersey Builders Utilization Initiative for Labor Diversity, better known as NJBUILD, is a program that seeks to bolster

participation of women and minorities through training opportunities in the construction industry.

As we work toward a stronger, fairer economy, the Labor Department is committed to seeing this program reach its full potential. Over its first seven years of implementation, the Treasury Department was responsible for ensuring that public agencies contributed the required 0.5 percent to NJBUILD for new construction projects, amounting to more than \$1 million.

NJDOL was responsible for monitoring contractors who had been awarded public contracts to ensure that minorities and women were being hired in accordance with the targeted Equal Employment Opportunity and Affirmative Action requirements.

We were also responsible for the receipt of the training funds and overseeing the training programs.

I'm sure it comes as no surprise to the members of this Committee that shortly after we walked in the door 11 months ago, we found room for improvement pertaining to NJBUILD. For example, in 2001, the public works contributions totaled more than \$7.5 million to this program. But this past year, the number is nearly half of that. Required reports had not been compiled; data was not being used to drive program decisions; funds were left on the table; and the monies that were collected weren't allocated in ways that allowed us to identify and capitalize on the successes of the program.

But almost from the very start we recognized the enormous potential of NJBUILD as a career pathway to the dignity that work provides. We knew that we had to do more, so we got to work.

Our Office of Research and Information began compiling a comprehensive data-driven report encompassing the past eight years of the NJBUILD program. The timing of this hearing is fortuitous, as we anticipate this retrospect report being released early in the new year.

In August, we sent compliance letters to more than 115 entities reminding them of their obligation to NJBUILD under the law. Specifically, it stated that any public body entering into a public works contract in excess of \$1 million must transfer 0.5 percent of the total amount funded by the public to the New Jersey Department of Labor. We, in turn, must use these funds to advance the goals of NJBUILD.

We also recently brought on board Gerry Balmir, to my right, to oversee our newly created NJBUILD office. I know many of you know Gerry from his work relating to other organizations across the state. But this is a first for our Department -- having an experienced hand to focus exclusively on NJBUILD.

Gerry's hiring is just more of an instance of how important the success of this program is to us. We have already begun to take steps to ultimately advance the goal of NJBUILD by making sure women and minorities gain steady employment in the construction trades. We're hoping no one in this room leaves us here with any doubt about our willingness to work with you, as partners, to further our mutual goal.

Here are some examples of how we can work together.

We need partners in the Legislature to help us capture the dollars the Legislature intended for this program. We need partners to help us achieve lasting success for those for whom this money is invested. And we need partners as we look to expand the ecosystem of qualifying

occupations in ways that make the most sense for the folks we are trying to serve.

We understand that this isn't just about funding; this isn't just about statistics; this is about people, your constituents, and everyone across the state.

And when it comes to putting more of our residents to work, particularly women and minority residents seeking careers in the construction trades, this is what proactive looks like.

As administrators of NJBUILD, we want to gather up every dollar and invest in these endeavors as our lawmakers intended. But this is easier said than done. Of the hundreds of compliance letters we sent this summer, we received a nominal number of replies. In fact, there is almost no mechanism to help us identify where every dollar may exist; and so we cannot predict our annual resources, something that would be extremely beneficial for initiating future endeavors.

Additionally, we don't have the ability to ensure that unspent funds at the end of the fiscal year will remain with Labor to reach the areas where they are most needed. We have a strong collaborative relationship with our counterparts across the state, but we need to do more to make sure that all my counterparts know how important NJBUILD is and get the word out amongst their agencies and those they fund.

We look forward to working with our legislators because we all want the same thing: more diversity and support in our construction trades.

So I want to thank you for bringing NJBUILD to the forefront today, because it is also a priority of ours. We are as committed as ever to



seeing the program bear fruit and succeed, and to work with our Legislature to make sure it happens on our watch.

Before I take questions, I want to give it to Gerry for a little bit for comments; if that's okay with you, Senator.

SENATOR RICE: Sure.

**GERARD M. BALMIR, Jr.:** Sure.

I also want to thank the Committee for asking us to come--

SENATOR RICE: Put your name and title on the record, please.

MR. BALMIR: Yes; Gerard Balmir; Director of NJBUILD; Labor and Workforce Development.

SENATOR RICE: Go ahead.

MR. BALMIR: So I want to thank the Committee members for the opportunity to come before you and give some brief comments about what we're doing.

I want to talk to you about program strategies and approach. In order to place more emphasis on programmatic quality for NJBUILD program, the Department of Labor and Workforce Development has consolidated all the programmatic activity into one unit, led by myself.

The NJBUILD team is responsible for managing all NJBUILD fund programs. They will monitor programs to ensure that participants are engaged in program activity; acquired the correct skills for employment; placed in careers that match the training provided; retained in employment at least two quarters upon completion of the program; provided with retention support, such as job coaches and post-employment planning.

Last fiscal year, we trained 328 participants. With many of these trainings completed in Fiscal Year 2018, we are on track to exceed 50 percent placement. With the team in place, we see the placement rate increasing with an increased focus on quality and program monitoring.

Currently we are in the process of releasing two awards for women in construction trades. We've yet to notify the providers, so those names we won't give at this moment. It's two providers obligating \$354,000, and our plan is to train 59 total participants.

Also, in the next few months we will engage in pre-apprenticeship programs for school construction in partnership with the Schools Development Authority. And it's timely because, tonight I'll be at the Early Childhood Development Center with the Schools Development Authority at their Camden High School that's projected to open September 2021.

Thank you so much for the opportunity; and we just wanted to give you guys an idea of some of the approaches and strategies we have with this program.

SENATOR RICE: Thank you very much.

I'm going to give everybody a chance to have comments and ask questions.

But I just want to bring up a couple of things to your attention.

Number one, the Labor Department is not just construction. So when we start talking about equal employment opportunities and equity, we're talking about all those areas. It just so happens that we focus a little bit today on this. And so, at some point in time, maybe you need to send us something in writing as to the other programs -- how you intend to

enhance them with participation. And I would suspect, if you have not set the Administration -- because that's the equivalent effort with Hester in Treasury, the Diversity Officer -- that you will be doing that to see where these relationships are and some of the things we have to change legislatively from our side.

Also, I just want to say that the programs, you know, going back some time ago -- and Gerry, you know this -- I've argued that we talk about reentry programs; we talk about New Jersey BUILD. And it seems to me that every time the Federal government sends money to this State, it seems that it was (indiscernible) for something else that wasn't New Jersey BUILD. And that's very wonderful; but in all of our areas, particularly the urban areas, their programs that have been around for years never got any support from local government or State government. They're barely hanging on. But they laid the foundation for what other people are doing now.

For example, the International Youth Organization in Newark has been dealing with reentry long before people started talking about reentry. But for some reason, it never got the support.

The former Commissioner told me -- and not Aaron; this is Wirths -- when I raised some questions about our program -- the one-half of one percent under Public Law 313, okay? -- he said, "Well, we don't have programs to fund," because I found our money was going to general treasury. And I said, "Well, I don't understand why you don't have programs." He said, "We don't have programs." I said, "You need to read the law."

And so I want to make sure, Commissioner, your folks read the law. The law says construction and construction-related programs.

MR. BALMIR: Exactly.

SENATOR RICE: And if you don't have a program, all of us can give you one and create one tomorrow; it's very simple. I have a model now for some things we did two years ago; we just haven't put them in place yet, etc.

And then when I look at the movement of the money -- about \$200,000 or \$300,000, maybe it was \$500,000 or \$600,000 -- went to the Helmets to Hardhat program; but about \$17 million went to general revenue. And then we wonder why women and minorities aren't ready and trained in these areas in construction.

Let me also say, for the record -- because I'm going to keep saying this until the Legislature hears me loud and clearly, organized labor hears me loud and clearly, and the Governor's Office, regardless of who they are, hear me loud and clearly -- as a black person, what happens in our community -- and what happens in the white ones too, who represent urban -- when they see all these dollars being driven into our communities, and all these projects going up, whether they are private projects or whether they are public projects; and they don't see people from the towns, and they don't see diversity in great numbers, if they see it at all -- not even holding the flag out there to stop the cars -- they come and tell us, "You're just like the other folks. We're going to run you out of office." And I say, "Well, I'm doing the best I can." Those are the citizens.

And then you go and talk to some of the unions -- not all -- and they will tell you “We’re not changing anything. This is the way we operate, and we will put boots on the ground and run you out of office.”

So what happens is that black elected officials, and Latinos, in majority, and some of our friends like Chris Brown in Atlantic City, we want the (indiscernible). Unions say, “We’re going to run you out, and spend money, and send people to your town.” The voters and residents, who look like us, say, “We’re going to run you out.” So we look real stupid.

So we have to figure out -- as they told me in the Marine Corps, “Who am I going to let kill me,” okay? So that’s why we side with the people.

We shouldn’t be put in those dilemmas. And if you look at minority votes and women votes in this Legislature, overall, you’re going to probably find out it’s 100 percent labor; but we’re not reaping the benefits.

And so some of that conversation has to be addressed by this Committee to the various entities out there, and organizations. And some of it is going to have to be addressed with some of us from the Civil Rights community and our coalitions with Civil Rights leaders. And, hopefully, we don’t have to do political stuff on the streets or go to court on this stuff. I think that’s very important to put on the record, because all of us are new. And this is like a new partnership, with a new Governor, and a new Administration that alleges to be committed and understand these kinds of things; and I believe the Governor does. And I know that the Senate President has assured me, on more than one occasion, that he is committed. We just have not tested anyone.

I'll also note that there's legislation in that sometime the Labor Department has to take a look at and encourage the Administration to do it. For example, everybody's talking about marijuana. Forget about whether you are for or against it, and all these economic social justice kinds of things. Well, long before there was any talk about marijuana -- and you want to talk about social justice -- Senator Turner was talking about waiving the fees and things for driver's licenses, and getting people their driver's licenses back, or finding another type of license. Well, it seems to me that when that type of legislation -- and then, Commissioner, someone in your Department should be monitoring stuff like that, and go to the Administration and say, "You know what? They're right. If we're going to produce and train people, they have to be able to get to the job site, okay?"

And so this legislation makes sense.

And so someone should be coming and saying, "You know, Senator Brown, Assemblyman Wimberly, Assemblywoman Reynolds-Jackson, we like that legislation; can we talk about it? We may have to tweak it, but let's talk about it, because it will help our Department."

And so to me it's more than just being a Commissioner of a Department and having staffing. It means someone should be tracking things that can help you. Because none of us have a monopoly on brains. Really; I'm being honest about that. So when we see things, sometimes you say, "I was trying to figure that out; and they done figured it out for me."

So I just wanted to put that on the record.

So with that being said, let me just turn to Assemblyman Wimberly for comments or questions. And then we're going to go to

Senator Turner, and we'll go here (indicates), and then we'll go to Chris Brown, okay?

ASSEMBLYMAN WIMBERLY: Good morning.

One of the issues that was frustrating during the last Administration was the money that was left on the table. And I heard you loud and clear in your reports. And also I know I read a recent report about the disparity of pay for the union jobs. That's something that I think has to be addressed right away. I don't think, you know, people of color or women should be paid less than somebody who is a white male. I think the numbers were disparaging when it came to union jobs, or different positions that were union.

NJBUILD is something that is -- being a former classroom teacher, it's something that I think benefits a major component of our school district. When you have a school district -- and I'll give you Paterson, for an example -- that has 30 percent special education population and 90 percent that are free or reduced lunch, these are people who need to learn a trade. And unfortunately, many of our trade schools -- the kids who need to go to these trade schools are not getting into them because they have now become *institutes*. And I know I've been criticized by our trade school, Passaic County Tech, for making this comment; but the comment is not a criticism of them. They have increased their standard and their bar. Where vo-tech schools back in the 1960s and 1970s were about refrigeration, and air conditioning, and plumbing; now they've taken it to a new level of technology. And it's something that -- with NJBUILD -- and I know they work closely with our NJCDC in Passaic County -- that these are the kids who are getting left behind. Because they're never going to pass

the test to get into Passaic County Technical Institute. They're going to have too many absences; they're going to be transient, so they're not going to be great test-takers. Unfortunately, some of them won't even be identified as special needs until it's too late to get to that point.

So the NJBUILD program, I know, previously worked great in our community. I just hope it's something that can continue; and that we do target those who have, unfortunately, fallen through the cracks and don't really pass the eyeball test when it comes to the upper echelon on elite training; when it comes to computer technology. I mean, they have so many things now, when you're talking about vo-tech schools now, that the kids who really, really need it -- they just don't get it.

So I think this is something that we can really address, you know, immediately. Like I said, this disparity in the pay is something that, also, I have a concern about. You know, we'll have further dialogue about that later down the line when it comes to women and minorities.

MR. BALMIR: Thank you.

SENATOR RICE: Senator Turner.

SENATOR TURNER: Thank you, Mr. Chairman.

I'd like to ask a question.

You indicated that, I guess, about 50 percent of the people who go through the program actually get jobs in the trades. Is that what you said, Gerry?

MR. BALMIR: What we're looking at, Senator, for 2018, based on the 328 participants we had, we're looking to exceed over 50 percent placement.



SENATOR TURNER: Okay. And 50 percent placement; what was the 59 number that you mentioned?

MR. BALMIR: That's for -- we have a women in construction grant opportunity, right now, that we're getting ready to award to two providers. And they're looking at training 59 participants for this new grant that we have out.

SENATOR TURNER: Every year?

MR. BALMIR: This grant will run-- I don't have the end-date; I'll get that back to you. But it's a new notice of grant opportunity that we will be awarding to two providers. They haven't been notified yet that they will receive the grant.

SENATOR TURNER: Okay. What are the barriers that are preventing women and minorities from gaining employment in the trades; the barriers that you have seen?

MR. BALMIR: From the analysis that I've done so far of the NJBUILD program, what we're looking at is some of the examples that Senator Rice gave of making sure we're reaching out to cast a wider net of providers out there that can do this type of work. So we're marketing ourselves and getting a bigger response on these grants when we put them out. It seems like, over the years, there has been a lack of response, even to the grant opportunities.

SENATOR TURNER: Why do you think that's the case? Why are people not responding?

MR. BALMIR: I'm not sure, Senator.

COMMISSIONER ASARO-ANGELO: If I may, I think she's referring to what are the challenges to get out of the 50 percent placed. You

know, union apprenticeships, or any construction apprenticeship program, is not an easy task for anybody; forget about the populations we're serving. I mean, going through a pre-apprenticeship program, going through an apprenticeship program, there are folks who just naturally cannot make it all the way through. Some drop out in week one, when they realize that their hands hurt when they hold a hammer; some people realize that they can, maybe, make a little bit less money and benefits doing something that is way easier than construction.

So I think that any population and any apprenticeship program you go to, there's always going to be a large drop-off in the beginning. But that does not mean that we should not have the goal of increasing our placement rates. But that percentage is of folks who go into the program on day one; it's not about folks going through these programs, and then at the end they're saying, "Oh, sorry, there is nowhere for you to go." Those are folks who -- that's the starting number of folks who enter on day one and end up being placed in the program at the end of the program.

SENATOR TURNER: I know from past experience, dating back to Christie number one -- that was Christine Todd Whitman -- when we had the \$6 billion bond issue that built the schools around the state. And I was very, very disappointed, because I thought that was going to be an economic boom to our urban areas -- building schools in their community.

And what I found -- they were not hiring the people who lived in that community to build these schools. They were bringing in people, not from just other areas of the state, but other states -- Pennsylvania, as far

up as New England, New York -- to build the schools in our urban communities. And I was very, very upset about that.

And I confronted the people in school construction about why these contractors were coming in from everywhere else, and not hiring the residents in the urban areas where the people attended those schools and lived in those areas. And I was told that the reason was that they did not have driver's licenses and they could not pass a drug test. Now, is that still the case today -- why we're not seeing more minorities and women on these construction sites?

COMMISSIONER ASARO-ANGELO: Real quick -- I don't know that we have data on why that is or what--

But you mentioned driver's licenses. I know that transportation was a huge barrier for our workforce, across the board, and for employers to find employees. Now, I personally have issues with that. I don't know that a license is as necessary as it used to be anymore. And clearly, if you're going to be driving trucks or something onsite, that makes sense. But in my mind, there are enough options these days that if somebody is going to making \$70 an hour to go work an eight-hour shift somewhere, they could avail themselves of-- There are many different opportunities to get to and from a job site that are reliable, whether it be a ridesharing service, taxi, whatever it is; public transportation.

So I don't know that it-- Sometimes it's easy to change; and I think the requirement to have a driver's license for multiple employers is nonsensical with all the options that we have now.

SENATOR TURNER: Well, you shared my opinion on that. And I did in fact verbalize that -- that I did not understand why a driver's

license was necessary for somebody who lives in the City of Trenton that's only about seven miles long and wide. Why would they need a driver's license if they could, in many cases, just walk to work or get a bus?

But they said, "Oh, no, we have to have somebody with a driver's license because when this project is finished, the next project might be somewhere else in the state and they'll have no way to get there."

So I think a lot of this has to do with what I believe, in the trades, is nepotism and discrimination. It seems as if it's a lot easier for people who are of non-color or who have relatives in the trades to get those jobs. Is that not accurate?

MR. BALMIR: I would tell you, Senator, my experience when you have a diverse membership -- and to your point, the goal is to get a diverse membership; and you take a career approach and not a job approach -- that once that job is over, the opportunities are all throughout the state. So you encourage them that, in some programs, you may start off on that career path on that job without a license; but by the time that that job is over, as best possible, you should try to have a consistent method of transportation. So if your next job is somewhere out of the area that, through your career, you have as much access to work as possible

SENATOR TURNER: Which brings me to economic as well as social justice.

Those people who have lost their driver's licenses for reasons that have nothing to do with their ability to drive; but because they do not have the money to pay all the surcharges, the fines, and the penalties that are heaped on them, year, after year, after year. I have constituents who have contacted my office, who have owed in excess of \$20,000 in fines,

penalties, and surcharges. And they'll never be able to pay that off, so that means they'll never be able to get a job working in an industry that pays more than a living wage. And they're going to be locked out. And if we're truly interested in economic and social justice, we should provide these people with a way to get back and forth to work, so that not only can they take care of their families and feed them, but also they'll be able to pay off those fines, penalties, and surcharges. So you just keep pouring water on a drowning man, so to speak.

COMMISSIONER ASARO-ANGELO: I couldn't agree more. I forget the bill, but I think at the end of last year, or maybe some time last year, in the last Administration -- I think a bill was passed and line-item vetoed or watered down -- something about license restoration and reducing those fees. I remember, I think, the final product was that we were going to do a study, with MVC, about how that affects the workforce.

I don't know if that study was ever completed; I think we have a draft of it. But I know we have had initial conversations with MVC. Because like I said, honestly, across the state, all the meetings I've had -- transportation is the one constant barrier for employers and employees alike. So it is something that we work very closely with, with our partners at DOT, and as well as MVC. And we also believe that we need to be able -- that we are allowed to use our workforce funding in more expansive ways, than it has been used in the past, for supportive services like transportation.

I'd love to talk to you another time about what we're doing on this front, holistically. Because it's not just about this issue that we're talking about today. Like I said earlier, I think this is something that is an easy -- I don't want to say *easy*; nothing is easy. But I think this is for the

workers and for the employers who both need these folks to get to their jobs and the folks, like you said, are drowning in fees and penalties; and not for some kind of driving violation. Whether-- No matter what walk of life, or what reason they have those fees that they can't afford them now, we need to get them back in the workforce. We need to do whatever we can, as the Department of Labor, to help effectuate that.

SENATOR RICE: Excuse me, Senator.

SENATOR TURNER: Now, the issue of drugs--

SENATOR RICE: Senator, one moment.

I just want to-- The Bill you're talking about is my legislation; and Assemblywoman Sumter. And the Governor conditionally vetoed it because he wanted to do a study. The Governor never had an interest in women and minorities. Every time we put something over there, it got vetoed or conditionally vetoed for a study. So I don't believe they did anything, but it's still a law.

COMMISSIONER ASARO-ANGELO: Right.

SENATOR RICE: But the Bill has just been reintroduced; so it could come back in its original version. And I'm hoping we can fast-track it through both houses, and get it on the Governor's desk, and get the Governor to close his eyes and sign the Bill and not worry about the money; because the money will come back when we put people to work.

COMMISSIONER ASARO-ANGELO: Absolutely.

SENATOR RICE: We don't need a study on that. We don't care what the cost is, in terms of money that's anticipated. Because what the study is going to show is that, okay, we fine these people. Ron Rice owes \$20,000; Senator Turner owes \$10,000. That's \$30,000 we

anticipate. We never had it, we don't have it, so you'll never miss it. So why worry about it? That's the deal. We anticipate it; then you say, "Okay, we have to keep this out here; even though the person shouldn't have that much of a penalty, we have to keep it because we put it in our budget for last year," you know? No, no, no. We're going to send the Bill back, right now; look into it and get back to us--

COMMISSIONER ASARO-ANGELO: Right.

SENATOR RICE: --because we're going to send the Bill back with the teeth that we had in there. And then we'll talk to the Governor and chain ourselves to radiators inside the State House. (laughter) We'll do what we have to do. I just think we have to go back to the 1960s on some of this stuff.

I'm sorry, Senator. Go ahead.

SENATOR TURNER: Well, is it also true that if you test for drug use, that is another barrier to prevent you from working in the trades?

MR. BALMIR: Yes. When you deal with contractors, construction sites, and some of the equipment they're using, there's a zero-drug policy on the construction site.

SENATOR TURNER: Then how will recreational marijuana, that's currently before the Legislature -- how is that going to impact minorities in terms of gaining access to some of these jobs?

MR. BALMIR: I'm not sure I'm prepared to answer that at this time, in terms of the effect--

COMMISSIONER ASARO-ANGELO: I think that issue -- use is equal amongst all populations. So, hopefully, it will be affecting everybody equally.

SENATOR TURNER: Well, I don't know about that. I keep hearing--

COMMISSIONER ASARO-ANGELO: As far as getting into a job?

SENATOR TURNER: I continue to hear that we're going to pass recreational marijuana in order to help minorities, so that-- Because they're the ones who are being most adversely affected by the law as it currently exists. But we want to have minorities gain access to these jobs in the trades; but how are they going to be able to get these jobs if you have a zero-tolerance for drug use?

MR. BALMIR: It's going to be the same barriers as for anybody else on that front. I'm definitely not an expert on this -- on that topic, that's for sure.

SENATOR TURNER: Well, I don't know if we have examined this issue as closely as we should -- as to the impact it's going to have on minority communities, particularly in the urban areas.

Thank you.

MR. BALMIR: Thank you, Senator.

COMMISSIONER ASARO-ANGELO: Thank you, Senator.

SENATOR RICE: Okay, Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much.

We've heard about the different barriers that minorities and women face. I'm just wondering if we have some new projects that are coming up in terms of the Taxation building, coming down the pike pretty soon; the State House construction that's going on. I've heard about the



rail tunnel in (indiscernible). And I'm just wondering, how do we propose to get folks ready to participate? Is that your outreach that you're doing; they're going to be a part of NJBUILD? Can you just tell me a little bit about the logistics of the program?

MR. BALMIR: Sure.

What we do is, from my assessment so far, in the past there's been notice of grant opportunities with an emphasis on building coalitions where you have an employer; some level of higher education or vocational training; and also a community partner that can provide some of the soft skill training that's needed. In some cases, even give a level of license restoration assistance.

And the plan is, like we're doing right now with the Schools Development Authority, is to train people for upcoming jobs; not training them just for the sake of training. So SDA has identified a couple of schools that are coming up, one of them being -- Camden High School is looking to open September 2021. So we're starting right now so we can have a timeline that allows us to identify a partner that's going to do training; and at the end of that training, have them trained in time for when the jobs are actually available.

ASSEMBLYWOMAN REYNOLDS-JACKSON: So I'm thinking about when the community -- our projects we have here; Perry Shaw's group-- You know the one I'm talking about, Senator Turner? What Perry Shaw--

MR. BALMIR: I'm familiar with that; yes.

ASSEMBLYWOMAN REYNOLDS-JACKSON: A Better Way; A Better Way.

MR. BALMIR: Yes.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Would that group of people be able to apply for this; or would you take people from there?

MR. BALMIR: They'd be available to apply once a notice of grant opportunity comes up; yes, they would.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Okay.

COMMISSIONER ASARO-ANGELO: Also, real quick; I'm sorry, Assemblywoman.

On specific projects, you know -- it's not just specific to NJBUILD -- we're trying to have an atmosphere in our building of outreach on the front end. So you talk about projects coming down the pike -- that we're going to have our folks, whether it be from contract compliance or from prevailing wage unit -- we're trying to be at the bid meetings, at the up-front meetings, so we can talk about what their requirements are under the law at the beginning of the process; rather than us having to try to chase folks down about ratios and requirements afterwards. So we're trying to be much more proactive on this front in everything that we're doing.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Some of the barriers that I hear -- and I think we've heard it before -- the training that you need may be advanced. And so like a group or organization like A Better Way may be somewhere on the entry level. Maybe they're just doing sheetrock; maybe they're just doing painting; maybe they're just doing window installation; maybe they're doing something on the lower side. Are we making sure that those grant opportunities will be available to them, and

not so big that they're boxed out -- they can't get to the roofs, they can't get to the technical pieces?

MR. BALMIR: Assemblywoman, that's part of the partnership we're excited to have, with folks like yourselves, where we can go deeper and identify other good partners in the community; so when we're crafting these grant opportunities we can be a little bit more broad in who can access them.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Okay.

COMMISSIONER ASARO-ANGELO: And to be clear, on that front, you know, a lot of our grant opportunities-- Our goal is not to have to go to the same folks over and over again. When we announced our GAINS grant -- the apprenticeship money that was put out a month-and-a-half ago, \$4.5 million -- we had the highest turnout ever for technical assistance seminars. We had over 300 participants come forward -- 300 possible grantees come forward; from the normal folks who come forward -- a lot of them we know about; but we had a lot of individual businesses there who, themselves, would not be -- don't have the wherewithal to run an apprenticeship program. We see our job as being like a match.com kind of thing, where we're going to find an employer or a community group who themselves might not be able to do it. And hopefully with our assistance, and our work, and our staff time, to help them through the process to make sure they're at the table like everybody else is.

And just as far as the training and what levels there are on the job -- you're talking to two former laborers here who, quite frankly, in the past, were on the low end of the totem pole on the job site. My passion for apprenticeship -- I was brought on by working for the laborers, and seeing

that we were the one union that gave people a second shot when nobody else would. So it's something that me and Gerry both take very seriously -- that we want to make sure not only to have access to the job site, but have access for pathways forward in individual trades and amongst other trades.

ASSEMBLYWOMAN REYNOLDS-JACKSON: I think we have to just be very, very mindful about the barriers that stop people from giving employment or giving an opportunity. We may have to look at recrafting how we do things so that we can make sure we capture the essential people who we're trying to get it.

It's a large amount, when you look at urban areas. We are in double-digits, in terms of unemployment. And so how do we capture them; how do we make sure we bring them in the fold to get training and to get employment?

So I just think we just need to be very, very strategic about the process in moving forward.

So I thank you for that opportunity.

MR. BALMIR: Thank you, Assemblywoman.

SENATOR RICE: I'd just like to say, before I get to Senator Brown, a couple of things.

Number one, when you mentioned the fallout. I know a little bit about construction; and I can tell you, from a minority perspective, there are two barriers, two problems, okay? And number one, you know, I got into a fight and all the unions marched against me, but I won anyway -- because they say never do pre-apprenticeship programs. The argument was at the Newark Housing Authority, was that black folks (indiscernible) came down -- brown folks, they can't read and write and they can't pass the

apprenticeship program. I said, "Fine; do apprenticeship; do pre-apprenticeship. We'll teach them how to read and write while you all give them a job, okay?"

They said we don't believe in pre-apprenticeship programs. This is going back many years, now; there have been some changes of attitude. But they forgot I was a Senator too, because I was in another capacity. And I get a letter at my house a week later saying they're standing with the Mayor of Jersey City -- I think it was Schundler at the time -- the Mayor of Jersey City introducing the pre-apprenticeship program. I said, "You just finished telling me you don't do pre-apprenticeship programs; you don't believe in them," okay?

So it's this mentality that the Senator was talking about that exists in some of these labor unions. Some work real hard to get diversity.

The other thing is that I found out, by being an affirmative action officer for a construction company at one time, is that when folks go into the trades, sometimes sheet rocking isn't their thing. They think it is, but it's not. And so, give them the opportunity to try something else. They may have to do some cross-training, maybe; because the opportunities-- "I like doing brick work; I didn't realize it." So they just don't fall out, etc.

That's what happened in "the non-minority community," with the families. They encourage their kids -- if you don't like this, they have friends; they give them something else. So we have to look at how you can cross-train at a point in time, and really figure out what the real interest is and what people are natural at to some degree. I think that's important.

The other thing is that the biggest problem, when you said a fall-out, is because if you talk to black and brown people -- particularly

black folks, more so than brown people -- there's something about speaking another language -- they seem to get more work than just being black and coming from a slave history. I'm being honest about that.

And so the brothers and sisters are telling us that, "We're working, but we only get two days on the job. And they get four and five days." And so after a while people say, "I don't want to do this," because the dollars and cents are not adding up. And so those things have to be looked at.

And I understand that we have to work directly with organized labor in those areas, and contractors on the prevailing side, etc. And we also have to work with contractors and be very clear what the expectations are. Because what happens is that we can say we want greater participation, and the unions will sit there and say, "Okay, but we don't do the contracts; we just do the work." So somebody has to tell the contractors that, "If you're going to get the contract, this is what we expect; so you go and deal with the unions. We'll deal with them too." But the unions have to understand that (indiscernible) contract or obligation; that I agree to do *A*, *B*, *C*, as best as I can. And therefore, I'm going to get it done.

And so we have to have this family conversation with the Labor Department. We know you guys get it; but we're going to have to have it, as a Committee, with the unions as well, and contractors.

So I just want to go on the record with that -- that big fall-out is for those couple of reasons: not having transportation is an excuse; and sometimes it's important to have transportation, because sometimes you can't get to Sussex County because there are no rail links out there. And we get that, so we have to put the licenses in place.

We also know that, once again, they're not getting enough work time on the jobs, compared to their "colleagues" on the job. We know that for a fact.

We also know that we don't have the same family relationships. Because I can go down a whole list of families who were friends; I watched them grow. And to the point that they run the unions, and they're the sons and daughters are in. And the sons and daughter who do not get into the union, they send them to college to get them the jobs as the lawyers for the unions (laughter). Really, that's what they do; and the CPAs. Now, I'm going to have to start; I'm going to recommend some of these folks now; because, you know, I know them pretty well, and you know them too.

So with that being said, let me go to my good friend Chris Brown; because a lot of things are happening in his area. And I know we've had this conversation before; he feels the same way that I do about the lack of participation down there. And you have CRDA and everybody else in the way. We're going to try to clean that up too.

Chris.

SENATOR BROWN: Thank you, Senator.

One of the things I found interesting was when Senator Turner had mentioned that those who are advocating for recreational marijuana are telling the African American community that they are doing it because they want to help them. History has taught me that when rich, white people pronounce that they're doing something to help the African American community, that's when you better watch out. (laughter)

SENATOR RICE: You got that right.

SENATOR BROWN: One of the things I was able to do in my community some time ago was set up a jobs fair, and that's why this conversation is extremely interesting to me. Because I went to a friend of mine who's the head of the building trades; and then I went to other friends of mine, Kaleem Shabazz and Reverend Days, and we set up a jobs fair between the building trades and our community at the Second Baptist Church.

And it's also interesting because the main obstacle that we found was the driver's license. And what was interesting to me, in thinking about it with the Department of Labor -- so what can we provide to those in our community, in terms of either legal service-- For example, right now, I believe that within the Governor's budget he took millions of dollars to make sure that those here illegally have a lawyer; while, as far as I'm concerned, we have millions here who are born and raised here, who are being shut out of the system; and funds such as those should go towards them first, in my opinion. And for example, if we were able to hire, or have a department where lawyers went through, when there's a young man or a young woman who genuinely wants to work. And because, when they were younger, they made some stupid mistake or they didn't pay a fine, and their license is suspended-- And all they have to do is pay the fine; but they don't have the legal help; they don't have the wherewithal. And because they don't have a license, they don't have a car to get to the municipal court or to the DMV, they fall into the abyss and they wind up becoming a statistic.

And so while, obviously, there are the natural unfortunate, systemic barriers that relate to the color of our skin, there are also socio-



economic barriers that fall into play as well. And when you look at those socio-economic barriers, you look at people who disproportionately have encounters with the police.

So there are systemic issues that need to be looked at and figured out, as to why there's a segment of our population that disproportionately doesn't have a driver's license; or disproportionately is trying to escape reality, and therefore and doesn't pass a drug test. But in terms of this Committee, in trying to figure what we can do that really matters -- that instead of just talking about it, we do something. I learned, and my history tells me, that it is the driver's license that is the biggest prohibitor for our young men and women who are trying to get a job and genuinely want to work.

So is there anything we can do? For example, one of the things that we did was we got together a couple of lawyers, and they would handle expungements and they would work with the family to try to get their licenses back so that they could be productive. But the problem is, the lawyers would do it pro bono, but they didn't personally have the money to pay the fine.

MR. BALMIR: Right.

SENATOR BROWN: And so if we have this kind of money to send lawyers to help those who are here illegally, why are we not able to find the money to help families who have lived generations of unequal treatment?

COMMISSIONER ASARO-ANGELO: As I said, Senator, this is definitely something we're trying to figure out solutions for. We're working closely with MVC. And I think that when I look at -- I look

forward to this Bill being passed that the Senator referenced. But I definitely have to put that on myself to go back and find that study. I think it was completed, or at least started under the last Administration, to find out what some possible solutions are and what we can do with our own workforce funding, in a flexible manner, to help folks get back to work. And we take that with a very broad view -- what our workforce dollars can be used for. So we'll definitely look into that also.

But also, you know, employers have to have skin in the game. Employers, right now, in this economy, we're almost at full employment in New Jersey, as a whole, in the state. I know it's different in different areas. But employers come to me every day -- as an association or individually -- not about over-regulation, not about high wages; about the inability to find workers. So I talk often about, "But what are your hiring restrictions?" And that's what apprenticeships are all about. That's what all work-based learning is about -- is making an investment in your worker. So maybe some kind of solution where -- I don't know -- some kind of ability for employers to help offset whatever fees would be; I don't know. I'm just trying to think, you know, outside of the box on this stuff in conjunction with available workforce dollars.

SENATOR BROWN: It's always unfair when you get asked to go to a Committee hearing and then they want you to solve everything in a five-minute period. (laughter)

So I respect and understand your answer; and I acknowledge that, certainly.

One of the things, even as a boy -- when I was growing up my father was the Chief of the Beach Patrol in Atlantic City. And the City,

although made up of predominantly African Americans, maybe there were five lifeguards who were African American. And one of the things that he tried to do -- he went into the schools systems; he had a poster contest about water safety; he set up a swim program to try and teach kids to swim so that this job opportunity in their home town could be something that they looked to him and wanted to do.

And even watching the effort, for whatever reason there just wasn't the connection with the African Americans community, or Latino community, or anyone. So they wound up hiring out-of-town white kids to come in and do the job because others weren't applying.

So this issue is clearly something that has been going on for quite a long time, because I'm going back to the 1970s right now, when my dad was with the Beach Patrol. And you're the professional. So what can we do to even take it on a higher latitude -- to go into a neighborhoods and let people know that there are opportunities; that you won't get shut out; that the American dream applies to you too, basically? Because it seems that's a big part of the problem; because here was my father, going into the community, saying, "Hey, man, I have these jobs; lifeguard, right?" It doesn't get any easier than that. And it's a wonderful job; you sit there all day -- and yet there's a disconnect.

And so what, if anything, would you suggest, like when I go back to Atlantic County and I'm trying to get more people involved and let them understand that, "There are jobs here; come and get them."

What can the Department of Labor -- what can we do, working as a team, to overcome that barrier?

COMMISSIONER ASARO-ANGELO: Well, I think it's a big question; but I think you, sort of, answered it at the end there -- working as a team.

We saw this when we came down to Atlantic City earlier this year in April at the-- Quite frankly, the begging of the casino industry--

SENATOR BROWN: Yes.

COMMISSIONER ASARO-ANGELO: --that could not find workers. I know that I briefed you at this meeting before. And we had almost all the representatives of all the casinos that were there; the union was there; Boys and Girls Club; a whole bunch of different community leaders. And there was just so much distrust between the residents of Atlantic City, which I am proud to be -- it's my ancestral homeland. I am the father of a hopeful ACBP lifeguard one day as well. But there's such a distrust between the casino industry and the community that this was an industry that was for themselves, not for the community. That they had been wronged by the industry before. And there's no doubt that that is part of the history of Atlantic City.

But I think this is the big picture of -- broader than just Atlantic City or Atlantic County. We do all these kinds of programs, even NJBUILD programs we're funding. And at my last job, at the U.S. Department of Labor, I was always amazed at how much free training was available for participants for jobs that were going to pay really good benefits; wages and benefits. And they couldn't find participants; even after the casinos closed, I was down at Atlantic-Cape Community College for a -- I want to say it was radiology tech program that the U.S. Department of Labor was almost fully funding. And they could not get participants in the

program. Now, they weren't doing a great job recruiting; they weren't going into the city. We tried to help them with that. But I thought there (indiscernible) a lot with these programs. They have great intentions and have great end results, as far as jobs available. But it's about getting participants into them in the first place.

When you see this -- you talk about apprenticeships a lot, and going after the German model. In Germany, these kids -- they know what they want to do when they're 14, 15, or 16; and they go right into a career path. I just don't think that's the same in this country, for whatever reason. When I was 14 or 15, I didn't know what I wanted to do. So we're talking about, you know, expanding vo-techs, which I think is going to be great; a great economic engine for our state. But I think that we need to work as a community to figure out how to show people, by example, what is out there, what is available for them.

But just like on a construction site, when folks in your community are walking by and they are seeing people who don't look like them their whole life, on a construction site; and kids in Atlantic City are walking that Boardwalk and they don't see a lifeguard who looks like them, that has an impact as well.

So we need to slowly change that; but also work together quickly as a team, not just on that front, but on all the industries, to get people interested in certain sectors that are growing in New Jersey.

SENATOR BROWN: Thank you.

SENATOR RICE: So it will be Senator Turner, then the Assemblywoman.

Senator Turner.

SENATOR TURNER: One of the things on a job-- Well, two of the things on a job application, right up front, right after your name, and your address, and contact information, they ask, "Have you ever been convicted of a crime?" or the next, "Do you have a valid driver's license?" And if you cannot say "no" to those two questions (*sic*), your application goes into the circular file. So it speaks to the need to provide people with a driver's license. And one of the Bills that I have is to provide people with a restricted or provisional driver's license that they can use just to get back and forth to work, or to a doctor's appointment, or to a college.

But that does not seem to resonate with not only the past Administrations, but this current Administration. They do not believe that we should have that kind of license here in New Jersey, even though 38 other states have similar provisions.

So these people who are in need of a job -- more so than anybody else, because of their financial conditions and the money that they owe the motor vehicle commission -- they're locked out of the employment forces. So we need to do something about that.

Now, they tried to address the question with the ban the box, that you cannot ask -- and I never believed for a moment that that was going to work; and it hasn't -- but they did pretend to address that in the past Administration by saying they were banning the box. Though people may not -- the employer may not ask you, when you first have an interview or on your application; they have to wait until down the line, before you actually get the job. So you're just delaying the process, which we know is going to be a negative result. And that makes people even angrier, because you wasted all their time, and you've led them down a garden path.

So those are the things that are in place now that we need to do something to remedy, so that we can provide employment for the people who need it most. If you look at the employment statistics -- whether it's nationally or on a state level -- unemployment in our urban areas is twice as high as it is in the suburban areas. So we need to address that fact if we're going to ever have economic justice and equal opportunity for everybody in the state.

COMMISSIONER ASARO-ANGELO: I couldn't agree more. I don't know enough about your Bill to opine on the Bill, but I just want to say, speaking from experience, my license was suspended earlier in my life. I had to leave the state, because I couldn't work. The job I had, I had to have a license. So I moved to Virginia and I was able to get a work permit there. And it's a life-changing experience. And I -- (indiscernible) so I have that as a background -- that I know that's--

SENATOR TURNER: Well, you're--

COMMISSIONER ASARO-ANGELO: I never wanted to leave New Jersey, but I had to for my job, or to have the ability to work in the job that I wanted. So I've definitely (indiscernible) with that.

And the other point -- the ban the box -- I don't want to speak to the effectiveness of that legislation, but I know that I am very proud that the Department of Labor is the one that enforces it. We've only had a handful of complaints from folks about employers not following the stricter law -- the ban the box law. I'm always looking to--

SENATOR TURNER: Well, when you say-- I'm not talking about whether they follow it or not.

COMMISSIONER ASARO-ANGELO: Right; yes.

SENATOR TURNER: But did the employee get a job as a result of the -- at the end of the interviewing process?

COMMISSIONER ASARO-ANGELO: I don't think we have data on that.

SENATOR TURNER: You don't? Okay. That's what's important.

COMMISSIONER ASARO-ANGELO: Right.

SENATOR RICE: The Assemblywoman is going to speak.

Just a couple of things maybe you should think about -- and I'm not sure if it's too much -- but think about tracking whether or not -- if there's a way to do it -- whether a person got hired after they went for their job, so we could figure out what's going on. There may be a way of tracking that--

COMMISSIONER ASARO-ANGELO: I think there-- I'm sorry.

SENATOR RICE: --there may not be a way; yes.

COMMISSIONER ASARO-ANGELO: The only way we could track that, I think -- just trying to think -- would be if we had data from Corrections or Federal BOP about who was now residing in Jersey; who has a record, and whether or not they're employed. But we would have no way of knowing individual employers or employees -- what job they're applying for.

SENATOR RICE: Okay.

So the other thing is -- I don't want to forget this as I go to the Assemblywoman -- just for the Committee, for people here -- the apprenticeship program. We spent a lot of time talking about construction,



but apprenticeship -- we're talking across the board. The whole national movement right now, and stuff that the National Black Caucus of State Legislators, which we are members of and I happen to chair -- at the national level, the Workforce and Labor Development Committee -- we're driving apprenticeships. We have the Manufacturing Caucus that Senate President Sweeney put together; we've had hearings; we know that there are jobs available, and they are saying they just can't find folks.

And I also want to say that when we talk about economic justice and equal employment opportunity -- we're talking about the impact particularly on women and minorities; but were also talking about non-minorities too. There's a real serious issue in our rural communities, because many of those farms that used to be there, years ago, are no longer farms. And the young people just grew up, went to high school, are just dropping out; they have nothing to do now, and they are looking for opportunities. We know that.

And we also know there has to be relationship with Labor, with other Departments. You can't work in isolation. For example, we're working with the Mayor of Logan Township and the people in South Jersey -- our South Jersey "black elected officials policy alliance group" -- because there's a serious transportation problem down there for those who don't have a license, getting in from the Salems, and Gloucester Counties, and the Burlington Counties, to some of the jobs that are out there.

So hopefully there's going to be, from your Department, relationships across the board with Corrections, and with Treasury, and with the Diversity people; and with Transportation, in particular. I think if

you coordinate those things and make them an integral part of your relationship, we're going to get more done.

With that being said, let me go to Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: I just wanted to continue on reducing barriers.

And when we were talking about it, the Senator brought up the two; I just wanted to add on three and four: high school diplomas and entrance exams as barriers that oftentimes are required, and that stop people from being able to participate.

And so I don't know if you have established your pre-apprentice training programs, and what that component might look like; but if you have, I would love to hear about it. And if not, I think also we should be able to keep those things in mind, in terms of what that test looks like.

Again, we talk about -- you may have a high school diploma from years ago; but if you're being faced with taking another pre-apprenticeship test and you might not score high on the math; you know, then there's a problem there's a delay. How do we make sure that they don't get skipped over?

And in some industries they're moving away from the GED into a high school diploma. And so I don't know if your program has taken that on -- that model as well. But I just wanted to bring it to your attention.

MR. BALMIR: Sure. Assemblywoman, I can tell you that, within our pre-apprenticeship model, there definitely are training providers

that are providing math and reading preparation, in preparation for some sort of apprenticeship testing.

ASSEMBLYWOMAN REYNOLDS-JACKSON: So you do have a pre-test that goes-- So I'm just saying, I don't know if you use the TABE test, or if you're looking into using--

MR. BALMIR: That's what they work off of.

ASSEMBLYWOMAN REYNOLDS-JACKSON: That's the one that's really, really difficult for a lot of people to pass. So I don't know if there's an option to look at a different model of a pre-test, besides that particular model.

MR. BALMIR: We welcome any suggestions you have to diversify what tools we're using.

I can tell you, there has been success with raising the reading skills. They'll test out where they're starting, and then test them out; and there's usually a level of improvement. And those who can move on and take advantage of the apprenticeship process, move on. And within some of our grant providers, they still provide continuing education for those who aren't quite ready yet.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much.

SENATOR RICE: Okay, so that's pretty--  
I'm sorry; Assemblyman.

ASSEMBLYMAN WIMBERLY: I'm sorry.

One question: I may have missed it, and I know Senator Brown addressed the undocumented and the money that the Governor is putting into undocumented residents. Where is your program with

undocumented or immigrants, as far as being active or being able to participate in the program?

MR. BALMIR: Assemblyman, I'm not familiar with that; I'd have to get back to you with that question -- with an answer.

ASSEMBLYMAN WIMBERLY: Commissioner, anything as far as undocumented or--

COMMISSIONER ASARO-ANGELO: No, as far as worker protections? You know, we are agnostic. If someone is a worker in this state, we're going to protect them with their wages and hours, and anything else that we apply for any other worker in the state.

With our workforce programs, there are definitely some Federal laws we need to follow when doing workforce training.

ASSEMBLYMAN WIMBERLY: Okay. I just think it's important, because you know the undocumented residents -- not just in New Jersey, but throughout the United States -- bring in millions of dollars of tax revenue. And I think, you know, unfortunately, in 2018, undocumented people and immigrants are being treated differently from immigrants of, you know, the day of the Statue of Liberty who have come here. And I think that's something that we have to keep in mind -- people are against it, and I'm totally for the people who are here to make sure that they get what they deserve. But we have to be really cognizant, in particular, of our young folks who had no choice -- who come here undocumented or they don't have the proper paperwork. And I know in my community we have a large amount of undocumented people who just -- their mother and father came here; their situation is a little bit different, and we've addressed it when it comes to college tuition and financial aid.

But when it comes to the labor force, I think it's something that we also have to look at.

COMMISSIONER ASARO-ANGELO: Absolutely.

ASSEMBLYMAN WIMBERLY: Thank you.

SENATOR RICE: Commissioner, I want to thank you very much, you and your staff, for taking the time to come over to us.

I'm going to provide the staff now -- our new staff; Fruqan is not new -- but we have a new staff here, and on the Assembly side.

The June 11, 2015, questions that were sent to the former Commissioner -- they are going to redo them and send them back to you. Just find out where we are with those, and give us an update.

COMMISSIONER ASARO-ANGELO: Great.

SENATOR RICE: I kind of have an idea what it's going to look like. And once again, it's not on you; we just want the information, then we can move from there, okay?

Also, the Public Law requires reports come to this legislative body on a regular basis. And so the Christie Administration violated the law, because it does not say if you don't have any information--

COMMISSIONER ASARO-ANGELO: For seven years.

SENATOR RICE: --so if you send us a blank saying the report is -- we have nothing to report, we're supposed to get a report.

So hopefully you'll look at how they did business before, and put systems in place where we can account for things, and we can get responses rapidly for things.

So I am going to hand that to the staff there.

Also, I just want to indicate to the members of the Committee -- and for the edification of the Commissioner as well -- that this Committee -- Assemblyman Benjie Wimberly and I had this conversation informally -- that we're going to try to set up kind of a schedule as to some meetings, because we used to meet on off-times on Tuesdays. But we are going to be calling the Labor organization, and Bill Mullins and his group, the trades -- to just see where they are, so we can do the work with them and help them move along the process. We need to know that upfront; and that will probably be the next meeting, hopefully.

We also know that we have to bring in SETC, the State Education Training Commission. And a good thing about that Commission is you sit on it, I sit on it, and Assemblyman Wimberly sits on it. And we know there are a lot of things going on that our members are not aware of, the Legislature is not aware of, based on Federal law and new directions we're taking. So we need to get an update on that.

We are also going to be bringing in the Treasury and the Diversity Officer to find out what kinds of logistics and strategies they're putting in place now to work with these departments, and folks outside in the private sector, to increase these numbers as they relate to increased participation of women and minorities in particular.

We're also going to be talking to them about the disparity study that should have kicked off already. And I'm going to keep pushing the Governor until his people call that meeting; because, right now, they are in violation of the law because it was supposed to have been done 30 days after they signed it, and the appointment should have been made already.

And we're going to also-- And I will rely on you, Commissioner, because at some point in time -- whether the Administration does this or not -- you know, we set up the Complete Count Commission for the census. The census is very important to the kind of work that we do on this Committee, particularly moving forward. So we can have real numbers between the disparity study and the census; we know where people are. But there are going to be things that we're going to have to do to get an accurate count. And that's where the Department of Labor can be very beneficial to the Committee, because you're working with organized labor; you're working with corporations. And those local unions -- particularly the ones that have an immigrant population -- they should be encouraging their members who speak the language to get their family members to give us the right count. And so we're going to be relying on that participation.

And Assemblywoman Reynolds-Jackson is on that Committee; she's the recommendation from the Legislative Black Caucus, along with Senator Gill. And just keep this in mind as you work with Senator Gill -- she is a Civil Rights and constitutional litigator; so she gets deep and serious about it.

So I think those are the kinds of things that our Committee can be looking at beyond other kinds of things. And I want the members to know that this Committee will move into your districts to hold hearings, if you need to be heard. And we'll be addressing other issues that the Committee members bring up too.

With that being said, I want to thank you very much.

And you can file the final comments, Commissioner.

COMMISSIONER ASARO-ANGELO: Just real quick.

A couple things that you mentioned. One, that we're very -- a proud member of the Complete Count Committee; not just on the outreach part of it, but as well as our Department of -- the Office of Research and Information does all the data gathering for the census.

And two, you mentioned Hester Agudosi a couple of times; the Chief Diversity Officer. We just completed our survey for that office, and I'm very proud of the results of our survey. But just so you know, the major part of that, and the procurement and contracting -- we do very little of that in our Department. But our hiring, obviously, is a big part of it. So just so you know we had completed our survey, and look forward to meeting with Hester about how we can further increase our diversity outreach in our Department.

SENATOR RICE: Finally, the final thing I need to bring to your attention -- I'm wearing my other hat -- as Chairman of the New Jersey Legislative Black Caucus, our Caucus has what we call *policy committees*, like the National has. And we do have a Labor Committee that's being chaired by Senator Cunningham; and Troy Singleton and others are on that Committee. So you'll be hearing from Economic Justice, but you'll also be hearing from the Legislative Black Caucus, National Labor Commission (*sic*), Labor, Governor, Senate President, and the Speaker. My members get treated as equal, as per the Constitution, and with respect; and we get things in a timely fashion.

I've been very kind; I haven't shut down anything yet; I haven't chained myself to any doors. (laughter) But I'm the product of the 1960s. And I'm glad you went to Virginia, my home state.

Once again, thank you very much for participating.



COMMISSIONER ASARO-ANGELO: Thank you, Senator and members of the Committee.

MR. BALMIR: Thank you.

SENATOR RICE: Thank you.

COMMISSIONER ASARO-ANGELO: We look forward to working together.

SENATOR RICE: This hearing is over.

**(MEETING CONCLUDED)**