

New Jersey Urban Enterprise Zone Program
12A:120—1.6 Good Faith Waiver

(a) If the UEZA determines that an applicant for qualified business status or a previously qualified business is unable in good faith to meet the definition of qualified business (see N.J.A.C. 12A:120—1.2) because an insufficient number of persons satisfying the criteria of N.J.S.A. 52:27H—62(c)(1), (2), and (3), and the workforce requirements of the business are available within the business's geographical area, the UEZA, in its discretion may reduce the requirement below 25 percent for that business conditioned upon the agreement of the business to implement any one or more of the following actions:

1. Sponsor and fund development and training programs in high schools, vocational or technical schools, or continuing education facilities which serve the zone city and which primarily develop basic or entry level job skills;

2. Provide summer or part-time jobs for zone city high school students or graduates;

3. Provide summer internships for zone city students attending post-secondary, vocational, or technical educational institutions;

4. Design and implement skills training programs in zone cities. These programs shall include, but are not limited to:

- i. Secretarial skills;
- ii. Computer skills;
- iii. Financial administration and analysis skills;
- iv. Management skills; and
- v. Other vocational skills;

5. Participate in and fund State and federally sponsored job training programs in zone cities. These programs shall include but are not limited to:

- i. The New Jersey Department of Labor's Customized Training Program;
- ii. The Job Training Partnership Act, Pub.L. 97-300 (29 U.S.C. §§ 1501 et seq.); or
- iii. Any other job training program recognized by the UEZA;

6. Sponsor and fund any other programs as may be designated by the UEZA.

(b) In determining the extent that a zone business shall be required to implement, sponsor, or fund any of the activities set forth under (a) above, the UEZA shall take into account the business's size as reflected in the number of employees normally, seasonally and currently employed by the business.

(c) A business which is required by the UEZA to implement one or more of the actions enumerated in (a) above in lieu of some portion of the 25 percent requirement of N.J.A.C. 12A:120—1.2 shall:

i. Remain subject to those specified requirements for a period of not less than five years, or such other period of time as may be established by the UEZA in order to fulfill the goals of the Act; and

ii. Consistent with Federal and State law, agree to grant a preference in hiring to persons participating in the activities specified in this section.