

116TH CONGRESS
1ST SESSION

H. R. 989

To promote registered apprenticeships and other work-based learning programs for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of industry or sector partnerships.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2019

Ms. BONAMICI (for herself, Mr. FERGUSON, Mrs. DAVIS of California, and Mr. GUTHRIE) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote registered apprenticeships and other work-based learning programs for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of industry or sector partnerships.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Apprentice-
5 ships through Regional Training Networks for Employers
6 Required Skills Act of 2019” or the “PARTNERS Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to promote registered ap-
3 prenticeships and other work-based learning programs for
4 small and medium-sized businesses within in-demand in-
5 dustry sectors, through the establishment and support of
6 industry or sector partnerships.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **ELIGIBLE PARTNERSHIP.**—The term “eligi-
10 ble partnership” means an industry or sector part-
11 nership as defined in section 3 of the Workforce In-
12 novation and Opportunity Act (29 U.S.C. 3102) that
13 submits and obtains approval of an application con-
14 sistent with section 5(c).

15 (2) **IN-DEMAND INDUSTRY SECTOR.**—The term
16 “in-demand industry sector” means a sector de-
17 scribed in subparagraphs (A)(i) and (B) of section
18 3(23) of the Workforce Innovation and Opportunity
19 Act (29 U.S.C. 3102(23)).

20 (3) **LOCAL OR REGIONAL.**—The term “local or
21 regional”, used with respect to an entity, means that
22 the entity provides services in, respectively, a local
23 area or region.

24 (4) **REGISTERED APPRENTICESHIP.**—The term
25 “registered apprenticeship” means an apprenticeship
26 registered under the Act of August 16, 1937 (com-

1 monly known as the “National Apprenticeship Act”;
2 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

3 (A) IN GENERAL.—The term “work-based
4 learning program” means a program that pro-
5 vides workers with paid work experience and
6 corresponding classroom instruction, delivered
7 in an employment relationship that both the
8 business and worker intend to lead to con-
9 tinuing employment after the program ends.

10 (B) WORK EXPERIENCE.—In subpara-
11 graph (A), the term “paid work experience” in-
12 cludes training by an employer that is provided
13 to a paid employee while engaged in productive
14 work in a job that provides knowledge or skills
15 essential to the full and adequate performance
16 of the job.

17 (5) WORKFORCE TERMS.—The terms “Gov-
18 ernor”, “individual with a barrier to employment”,
19 “industry or sector partnership”, “local area”, “local
20 board”, “State board”, “outlying area”, “recognized
21 postsecondary credential”, “region”, “State”, and
22 “supportive services”, used with respect to activities
23 supported under this Act, have the meanings given
24 the terms in section 3 of the Workforce Innovation
25 and Opportunity Act (29 U.S.C. 3102).

1 (6) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 **SEC. 4. AVAILABILITY OF FUNDS.**

4 From funds paid into the general fund of the Treas-
5 ury and available under section 286(s)(2) of the Immigra-
6 tion and Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-
7 retary shall carry out this Act.

8 **SEC. 5. ALLOTMENTS TO STATES.**

9 (a) RESERVATION.—Of the amounts available for this
10 Act under section 4, the Secretary may reserve—

11 (1) not more than 5 percent of those amounts
12 for the costs of technical assistance and Federal ad-
13 ministration of this Act;

14 (2) not more than 2 percent of those amounts
15 for the costs of evaluations conducted under section
16 8(b); and

17 (3) not more than $\frac{1}{4}$ of 1 percent of such
18 amounts to provide assistance to the outlying areas.

19 (b) ALLOTMENTS.—

20 (1) IN GENERAL.—Of the amounts available for
21 this Act under section 4 that remain after the Sec-
22 retary makes the reservations under subsection (a),
23 the Secretary shall, for the purpose of supporting
24 (which may include assistance in establishing ex-
25 panded) local or regional eligible partnerships to

1 support work-based learning programs under this
2 Act, make allotments to eligible States in accordance
3 with clauses (ii) through (v) of section 132(b)(1)(B)
4 of the Workforce Innovation and Opportunity Act
5 (29 U.S.C. 3162(b)(1)(C)), subject to paragraph
6 (2).

7 (2) APPLICATION.—For purposes of applying
8 the clauses described in paragraph (1), under para-
9 graph (1), the Secretary—

10 (A) shall not apply subclauses (I) and (III)
11 of clause (iv) with respect to the first fiscal year
12 after the date of enactment of this Act;

13 (B) shall apply clause (iv)(II) by sub-
14 stituting “0.5 percent of the remaining amounts
15 described in paragraph (1)” for the total de-
16 scribed in that clause;

17 (C) shall not apply clause (iv)(IV);

18 (D) shall apply clause (v)(II) by sub-
19 stituting the term “allotment percentage”, used
20 with respect to the second full fiscal year after
21 the date of enactment of this Act, or a subse-
22 quent fiscal year, means a percentage of the re-
23 maining amounts described in paragraph (1)
24 that is received through an allotment made

1 under this subsection for the fiscal year for the
2 two sentences in that clause; and

3 (E) shall apply clause (v)(III) by sub-
4 stituting “a work-based learning program car-
5 ried out under this Act” for “a program of
6 workforce investment activities carried out
7 under this subtitle”.

8 (3) USE OF UNALLOTTED FUNDS.—If a State
9 fails to meet the requirements for an allotment
10 under this subsection, the Secretary may allot funds
11 that are not allotted under paragraphs (1) and (2)
12 to eligible States under a formula based on the for-
13 mula specified in section 132(c) of the Workforce In-
14 novation and Opportunity Act (29 U.S.C. 3173(c)).

15 (4) DEFINITION.—In this subsection, the term
16 “eligible State” means a State that meets the re-
17 quirements of section 102 or 103 of the Workforce
18 Innovation and Opportunity Act (29 U.S.C. 3112,
19 3113) and subsection (c).

20 (c) STATE ELIGIBILITY.—To be eligible to receive an
21 allotment under subsection (b), a State, in consultation
22 with State boards and local boards, shall submit an appli-
23 cation to the Secretary, at such time, in such manner, and
24 containing a description of the activities to be carried out

1 with the grant funds. At a minimum, the application shall
2 include information on—

3 (1) the local or regional industry or sector part-
4 nerships that will be supported, including the lead
5 partners for the partnerships, and how the partner-
6 ships will work to engage small and medium-sized
7 businesses, as applicable, in the activities of the
8 partnerships;

9 (2) the in-demand industry sectors that will be
10 served, including how such industry sectors were
11 identified, and how the activities of the partnerships
12 will align with State, regional, and local plans as re-
13 quired under title I of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3111 et seq.);

15 (3) the registered apprenticeship programs or
16 other work-based learning programs to be supported
17 through the partnerships;

18 (4) the populations that will receive services, in-
19 cluding individuals with barriers to employment and
20 populations that were historically underrepresented
21 in the industry sectors to be served through the
22 partnerships;

23 (5) the services, including business engagement,
24 classroom instruction, and support services (includ-
25 ing at least 6 months of post-employment support

1 services), that will be supported through the grant
2 funds;

3 (6) the recognized postsecondary credentials
4 that workers will obtain through participation in the
5 program and the quality of the program that leads
6 to the credentials;

7 (7) levels of performance to be achieved on the
8 performance indicators described in section 8, to
9 measure progress towards expanding work-based
10 learning programs;

11 (8) how local or regional partnerships will lever-
12 age additional resources, including funding provided
13 under title I of the Workforce Innovation and Op-
14 portunity Act (29 U.S.C. 3111 et seq.) and non-
15 Federal resources, to support the activities carried
16 out under this Act; and

17 (9) such other subjects as the Secretary may
18 require.

19 (d) REVIEW OF APPLICATIONS.—The Secretary shall
20 review applications submitted under subsection (c) in con-
21 sultation with the Secretary of Education and the Sec-
22 retary of Health and Human Services.

23 **SEC. 6. GRANTS TO PARTNERSHIPS.**

24 (a) GRANTS.—

1 (1) IN GENERAL.—The Governor of a State
2 that receives an allotment under section 5 shall use
3 the funds made available through the allotment and
4 not reserved under subsection (d) to award grants to
5 eligible partnerships. The Governor shall award the
6 grants for the purpose of assisting (which may in-
7 clude establishing or expanding) local or regional in-
8 dustry or sector partnerships that are identified in
9 the application submitted under section 5(c), to
10 carry out activities described in section 7.

11 (2) PERIOD AND AMOUNT OF GRANT.—A State
12 may make a grant under this section for a period of
13 3 years, and in an amount of not more than
14 \$500,000.

15 (3) AVAILABILITY OF FUNDS.—The Governor of
16 a State that receives an allotment under section 5
17 for a fiscal year may use the funds made available
18 through the allotment during that year or the 2 sub-
19 sequent fiscal years.

20 (b) ELIGIBILITY.—To be eligible to receive a grant
21 under this section, an industry or sector partnership de-
22 scribed in subsection (a)(1) shall—

23 (1) submit an application to the State at such
24 time, in such manner, and containing such informa-
25 tion as the State may require; and

1 (2) designate a partner in the industry or sector
2 partnership, to serve as the fiscal agent for purposes
3 of the grant.

4 (c) AWARDS OF GRANTS.—

5 (1) PARTICIPATION IN MULTIPLE ELIGIBLE
6 PARTNERSHIPS.—Subject to paragraph (2), a State
7 may award grants under this section in a way that
8 results in an entity being represented in more than
9 one partnership that receives such a grant.

10 (2) GEOGRAPHIC DIVERSITY.—In making the
11 grants, a State shall ensure that there is geographic
12 diversity in the areas in which activities will be car-
13 ried out under the grants.

14 (d) ADMINISTRATION.—The State may reserve not
15 more than 5 percent of the amount of an allotment under
16 section 5 for the administration of the grants awarded
17 under this section.

18 **SEC. 7. USE OF FUNDS.**

19 (a) IN GENERAL.—An eligible partnership that re-
20 ceives a grant under section 6 shall use the grant funds
21 to support a registered apprenticeship or other work-based
22 learning program. The eligible partnership shall use the
23 grant funds to support the activities described in sub-
24 sections (b) and (c) and such other strategies as may be
25 necessary to support the development and implementation

1 of work-based learning programs, and participant reten-
2 tion in and completion of those programs. The partnership
3 may use the grant funds to establish or expand eligible
4 partnerships.

5 (b) BUSINESS ENGAGEMENT.—The eligible partner-
6 ship shall use grant funds to provide services to engage
7 businesses in work-based learning programs, which may
8 include assisting a small or medium-sized business with—

9 (1) the navigation of the registration process
10 for a sponsor of a registered apprenticeship pro-
11 gram;

12 (2) the connection of the business with an edu-
13 cation provider to develop classroom instruction to
14 complement on-the-job learning;

15 (3) the development of a curriculum for a work-
16 based learning program;

17 (4) the employment of workers in a work-based
18 learning program for a transitional period before the
19 business hires an individual for continuing employ-
20 ment;

21 (5) the provision of training to managers and
22 front-line workers to serve as trainers or mentors to
23 workers in the work-based learning program;

24 (6) the provision of career awareness activities;
25 and

(7) the recruitment of individuals to participate in a work-based learning program from individuals receiving additional workforce and human services, including—

(A) workers in programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.);

(B) recipients of assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and

(C) recipients of assistance through the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(c) SUPPORT SERVICES FOR WORKERS.—

(1) IN GENERAL.—The eligible partnership shall use grant funds to provide support services for workers to assure their success in work-based learning programs, which may include—

(A) connection of individuals with adult basic education during pre-work-based learning or training, and during the period of employment;

1 (B) connection of individuals with pre-
2 work-based learning or training, including
3 through a pre-apprenticeship program;

4 (C) provision of additional mentorship and
5 retention supports for individuals pre-work-
6 based learning or training, and during the pe-
7 riod of employment;

8 (D) provision of tools, work attire, and
9 other required items necessary to start employ-
10 ment pre-work-based learning or training, and
11 during the period of employment; and

12 (E) provision of transportation, child care
13 services, or other support services pre-work-
14 based learning or training, and during the pe-
15 riod of employment.

16 (2) LENGTH OF SERVICES.—Each eligible part-
17 nership shall provide support services for workers for
18 not less than 12 months after the date of placement
19 of an individual in a work-based learning program.
20 That 12-month period shall include a period of pre-
21 work-based learning or training, a transitional pe-
22 riod of employment as described in subsection
23 (b)(4), and a period of continuing employment.

1 **SEC. 8. PERFORMANCE AND ACCOUNTABILITY.**

2 (a) LOCAL REPORTS.—Not later than 1 year after
3 receiving a grant under section 6, and annually thereafter,
4 each eligible partnership in a State shall conduct an eval-
5 uation and submit to the State a local report containing
6 information on—

7 (1) levels of performance achieved by the eligi-
8 ble partnership with respect to the performance indi-
9 cators under section 116(b)(2)(A) of the Workforce
10 Innovation and Opportunity Act (29 U.S.C.
11 3141(b)(2)(A))—

12 (A) for all workers in the work-based
13 learning program involved; and

14 (B) for all such workers, disaggregated by
15 each population specified in section 3(24) of the
16 Workforce Innovation and Opportunity Act (29
17 U.S.C. 3102(24)) and by race, ethnicity, sex,
18 and age; and

19 (2) levels of performance achieved by the eligi-
20 ble partnership with respect to the performance indi-
21 cators under that section 116(b)(2)(A)—

22 (A) for individuals with barriers to employ-
23 ment in the work-based learning program in-
24 volved; and

25 (B) for all such individuals, disaggregated
26 by each population specified in section 3(24) of

1 the Workforce Innovation and Opportunity Act
2 and by race, ethnicity, sex, and age.

3 (b) STATE REPORTS.—Not later than 24 months
4 after receiving initial local reports under subsection (a)
5 (but in no case less than 18 months after the cor-
6 responding grants are awarded) and annually thereafter,
7 the State shall conduct an evaluation and submit a report
8 to the Secretary containing—

9 (1) the information provided by the eligible
10 partnerships through the local reports; and

11 (2) the State level of performance, aggregated
12 across all eligible partnerships, with respect to the
13 performance indicators described in subsection (a).

14 **SEC. 9. CONFORMING AMENDMENTS.**

15 (a) AMERICAN COMPETITIVENESS AND WORKFORCE
16 IMPROVEMENT ACT OF 1998.—Section 414(c) of the
17 American Competitiveness and Workforce Improvement
18 Act of 1998 (29 U.S.C. 2916a) is repealed.

19 (b) IMMIGRATION AND NATIONALITY ACT.—Section
20 286(s)(2) of the Immigration and Nationality Act (8
21 U.S.C. 1356(s)(2)) is amended to read as follows:

22 “(2) USE OF FEES FOR WORK-BASED LEARNING
23 PROGRAMS.—50 percent of amounts deposited into
24 the H–1B Nonimmigrant Petitioner Account shall

- 1 remain available to the Secretary of Labor until ex-
- 2 pended to carry out the PARTNERS Act.”.

○