

108TH CONGRESS
1ST SESSION

S. 1965

To provide for the creation of private-sector-led Community Workforce Partnerships, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 25, 2003

Mr. BAYH introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the creation of private-sector-led Community Workforce Partnerships, and for other purposes.

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 “Community Workforce
5 Development and Modernization Partnership Act”.

6 **SEC. 2. AUTHORIZATION.**

7 (a) IN GENERAL.—From amounts made available to
8 carry out this Act, the Secretary of Labor (referred to in
9 this Act as the “Secretary”), in consultation with the Sec-
10 retary of Commerce and the Secretary of Education, shall

1 award grants on a competitive basis to eligible entities de-
2 scribed in subsection (b) to assist each entity to—

3 (1) help workers improve those job skills that
4 are necessary for employment by businesses in the
5 industry with respect to which the entity was estab-
6 lished;

7 (2) help dislocated workers find employment;
8 and

9 (3) upgrade the operating and competitive ca-
10 pacities of businesses that are members of the enti-
11 ty.

12 (b) ELIGIBLE ENTITIES.—An eligible entity de-
13 scribed in this subsection is a consortium (either estab-
14 lished prior to the date of enactment of this Act or estab-
15 lished specifically to carry out programs under this Act)
16 that—

17 (1) shall include—

18 (A) 2 or more businesses (or nonprofit or-
19 ganizations representing businesses) that are
20 facing similar workforce development or busi-
21 ness modernization challenges;

22 (B) labor organizations, if the businesses
23 described in subparagraph (A) employ workers
24 who are covered by collective bargaining agree-
25 ments; and

1 (C) 1 or more businesses (or nonprofit or-
 2 ganizations that represent businesses) with re-
 3 sources or expertise that can be brought to bear
 4 on the workforce development and business
 5 modernization challenges referred to in sub-
 6 paragraph (A); and

7 (2) may include—

8 (A) State governments and units of local
 9 government;

10 (B) educational institutions;

11 (C) labor organizations; or

12 (D) nonprofit organizations.

13 (c) COMMON GEOGRAPHIC REGION.—To the max-
 14 imum extent practicable, the organizations that are mem-
 15 bers of an eligible entity described in subsection (b) shall
 16 be located within a single geographic region of the United
 17 States.

18 (d) PRIORITY CONSIDERATION.—In awarding grants
 19 under subsection (a), the Secretary shall give priority con-
 20 sideration to—

21 (1) eligible entities that serve dislocated work-
 22 ers or workers who are threatened with becoming to-
 23 tally or partially separated from employment;

24 (2) eligible entities that include businesses with
 25 fewer than 250 employees; or

1 (3) eligible entities from a geographic region in
2 the United States that has been adversely impacted
3 by the movement of manufacturing operations or
4 businesses to other regions or countries, due to cor-
5 porate restructuring, technological advances, Federal
6 law, international trade, or another factor, as deter-
7 mined by the Secretary.

8 **SEC. 3. PARTNERSHIP ACTIVITIES.**

9 (a) USE OF GRANT AMOUNTS.—Each eligible entity
10 that receives a grant under section 2 shall use the amount
11 made available through the grant to carry out a program
12 that provides—

13 (1) workforce development activities to improve
14 the job skills of individuals who have, are seeking,
15 or have been dislocated from, employment with a
16 business that is a member of that eligible entity, or
17 with a business that is in the industry of a business
18 that is a member of that eligible entity;

19 (2) business modernization activities; or

20 (3) activities that are—

21 (A) workforce investment activities (includ-
22 ing such activities carried out through one-stop
23 delivery systems) carried out under subtitle B
24 of title I of the Workforce Investment Act of
25 1998 (42 U.S.C. 2811 et seq.); or

1 (B) activities described in section 25 of the
2 National Institute of Standards and Technology
3 Act (15 U.S.C. 278k).

4 (b) ACTIVITIES INCLUDED.—

5 (1) WORKFORCE DEVELOPMENT ACTIVITIES.—

6 The workforce development activities referred to in
7 subsection (a)(1) may include activities that—

8 (A) develop skill standards and provide
9 training, including—

10 (i) assessing the training and job skill
11 needs of the industry involved;

12 (ii) developing a sequence of skill
13 standards that are benchmarked to ad-
14 vanced industry practices;

15 (iii) developing curricula and training
16 methods;

17 (iv) purchasing, leasing, or receiving
18 donations of training equipment;

19 (v) identifying and developing the
20 skills of training providers;

21 (vi) developing apprenticeship pro-
22 grams; and

23 (vii) developing training programs for
24 dislocated workers;

1 (B) assist workers in finding new employ-
 2 ment; or

3 (C) provide supportive services to workers
 4 who—

5 (i) are participating in a program car-
 6 ried out by the entity under this Act; and

7 (ii) are unable to obtain the sup-
 8 portive services through another program
 9 providing the services.

10 (2) BUSINESS MODERNIZATION ACTIVITIES.—

11 The business modernization activities referred to in
 12 subsection (a)(2) may include activities that upgrade
 13 technical or organizational capabilities in conjunc-
 14 tion with improving the job skills of workers in a
 15 business that is a member of that entity.

16 **SEC. 4. APPLICATION.**

17 To be eligible to receive a grant under section 2, an
 18 entity shall submit an application to the Secretary at such
 19 time, in such manner, and containing such information as
 20 the Secretary may reasonably require.

21 **SEC. 5. SEED GRANTS AND OUTREACH ACTIVITIES.**

22 (a) SEED GRANTS.—The Secretary shall provide
 23 technical assistance and award financial assistance (not
 24 to exceed \$150,000 per award) on such terms and condi-
 25 tions as the Secretary determines to be appropriate—

1 (1) to businesses, nonprofit organizations rep-
 2 resenting businesses, and labor organizations, for
 3 the purpose of establishing an eligible entity; and

4 (2) to entities described in paragraph (1) and
 5 established eligible entities, for the purpose of pre-
 6 paring such application materials as may be required
 7 under section 4.

8 (b) OUTREACH AND PROMOTIONAL ACTIVITIES.—

9 The Secretary may undertake such outreach and pro-
 10 motional activities as the Secretary determines will best
 11 carry out the objectives of this Act.

12 (c) LIMITATIONS ON EXPENDITURES.—The Sec-
 13 retary may not use more than 10 percent of the amount
 14 authorized to be appropriated under section 8 to carry out
 15 this section.

16 **SEC. 6. LIMITATIONS ON FUNDING.**

17 (a) REQUIREMENT OF MATCHING FUNDS.—The Sec-
 18 retary may not award a grant under this Act to an eligible
 19 entity unless such entity agrees that the entity will make
 20 available non-Federal contributions toward the costs of
 21 carrying out activities funded by that grant in an amount
 22 that is not less than \$2 for each \$1 of Federal funds made
 23 available through the grant.

24 (b) IN-KIND CONTRIBUTIONS.—The Secretary—

1 (1) shall, in awarding grants under this Act,
 2 give priority consideration to those entities whose
 3 members offer in-kind contributions; and

4 (2) may not consider any in-kind contribution
 5 in lieu of or as any part of the contributions re-
 6 quired under subsection (a).

7 (c) SENIOR MANAGEMENT TRAINING AND DEVELOP-
 8 MENT.—An eligible entity may not use any amount made
 9 available through a grant awarded under this Act for
 10 training and development activities for senior manage-
 11 ment, unless that entity certifies to the Secretary that ex-
 12 penditures for the activities are—

13 (1) an integral part of a comprehensive mod-
 14 ernization plan; or

15 (2) dedicated to team building or employee in-
 16 volvement programs.

17 (d) PERFORMANCE MEASURES.—Each eligible entity
 18 shall, in carrying out the activities described in section 3,
 19 provide for development of, and tracking of performance
 20 according to, performance outcome measures.

21 (e) ADMINISTRATIVE COSTS.—Each eligible entity
 22 may use not more than 10 percent of the amount made
 23 available to that entity through a grant awarded under
 24 this Act to pay for administrative costs.

1 (f) MAXIMUM AMOUNT OF GRANT.—No eligible enti-
2 ty may receive—

3 (1) a grant under this Act in an amount of
4 more than \$1,000,000 for any fiscal year; or

5 (2) grants under this Act in any amount for
6 more than 3 fiscal years.

7 (g) SUPPORT FOR EXISTING OPERATIONS.—

8 (1) IN GENERAL.—In making grants under this
9 Act, the Secretary may use a portion equal to not
10 more than 50 percent of the funds appropriated to
11 carry out this Act for a fiscal year, to support the
12 existing training and modernization operations of ex-
13 isting eligible entities.

14 (2) ENTITIES.—The Secretary may award a
15 grant to an existing eligible entity for existing train-
16 ing and modernization operations only if the enti-
17 ty—

18 (A) currently offers (as of the date of the
19 award of the grant) a combination of training,
20 modernization, and business assistance services;
21 and

22 (B) has demonstrated success in accom-
23 plishing the objectives of activities described in
24 section 3.

1 (3) APPLICATION.—Paragraph (1) shall not
2 apply to support for the expansion of training and
3 modernization operations of existing eligible entities.

4 (4) DEFINITIONS.—In this subsection:

5 (A) EXISTING TRAINING AND MODERNIZA-
6 TION ACTIVITY.—The term “existing training
7 and modernization activity” means a training
8 and modernization activity carried out prior to
9 the date of enactment of this Act.

10 (B) EXISTING ELIGIBLE ENTITY.—The
11 term “existing eligible entity” means an eligible
12 entity that was established prior to the date of
13 enactment of this Act.

14 **SEC. 7. GENERAL ACCOUNTING OFFICE STUDY.**

15 (a) STUDY.—Beginning 3 years after the date of en-
16 actment of this Act, the Comptroller General of the United
17 States shall conduct a study concerning the activities car-
18 ried out under this Act. In conducting the study, the
19 Comptroller General shall assess the effectiveness of the
20 activities and suggest improvements to the grant program
21 established under this Act, including recommending
22 whether the program should be administered by the De-
23 partment of Labor or by another agency or an alternative
24 entity.

1 (b) REPORT.—Not later than 3 years and 6 months
2 after the date of enactment of this Act, the Comptroller
3 General of the United States shall prepare and submit to
4 Congress a report containing the results of the study.

5 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to carry out
7 this Act—

- 8 (1) \$15,000,000 for fiscal year 2004;
9 (2) \$20,000,000 for fiscal year 2005;
10 (3) \$25,000,000 for fiscal year 2006; and
11 (4) \$30,000,000 for fiscal year 2007.

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