

Union Calendar No. 167

110TH CONGRESS
1ST SESSION

H. R. 2847

[Report No. 110-262]

To amend the Workforce Investment Act of 1998 to establish an energy efficiency and renewable energy worker training program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2007

Ms. SOLIS (for herself, Mr. TIERNEY, and Mr. MCNERNEY) introduced the following bill; which was referred to the Committee on Education and Labor

JULY 27, 2007

Additional sponsors: Ms. LEE, Mr. WYNN, Mr. ELLISON, Mr. INSLEE, Mr. SMITH of Washington, and Mr. FRANK of Massachusetts

JULY 27, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 25, 2007]

A BILL

To amend the Workforce Investment Act of 1998 to establish an energy efficiency and renewable energy worker training program.

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

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Green Jobs Act of 2007”.*

3 **SEC. 2. ENERGY EFFICIENCY AND RENEWABLE ENERGY**
 4 **WORKER TRAINING PROGRAM.**

5 *Section 171 of the Workforce Investment Act of 1998*
 6 *(29 U.S.C. 2916) is amended by adding at the end the fol-*
 7 *lowing:*

8 *“(e) ENERGY EFFICIENCY AND RENEWABLE ENERGY*
 9 *WORKER TRAINING PROGRAM.—*

10 *“(1) GRANT PROGRAM.—*

11 *“(A) IN GENERAL.—Not later than 6*
 12 *months after the date of enactment of the Green*
 13 *Jobs Act of 2007, the Secretary, in consultation*
 14 *with the Secretary of Energy, shall establish an*
 15 *energy efficiency and renewable energy worker*
 16 *training program under which the Secretary*
 17 *shall carry out the activities described in para-*
 18 *graph (2) to achieve the purposes of this sub-*
 19 *section.*

20 *“(B) ELIGIBILITY.—For purposes of pro-*
 21 *viding assistance and services under the program*
 22 *established under this subsection—*

23 *“(i) target populations of eligible indi-*
 24 *viduals to be given priority for training*
 25 *and other services shall include—*

1 “(I) workers affected by national
2 energy and environmental policy;

3 “(II) individuals in need of up-
4 dated training related to the energy ef-
5 ficiency and renewable energy indus-
6 tries;

7 “(III) veterans, or past and
8 present members of reserve components
9 of the Armed Forces;

10 “(IV) unemployed workers;

11 “(V) individuals, including at-
12 risk youth, seeking employment path-
13 ways out of poverty and into economic
14 self-sufficiency; and

15 “(VI) formerly incarcerated, adju-
16 dicated, non-violent offenders;

17 “(ii) energy efficiency and renewable
18 energy industries eligible to participate in a
19 program under this subsection include—

20 “(I) the energy-efficient building,
21 construction, and retrofits industries;

22 “(II) the renewable electric power
23 industry;

24 “(III) the energy efficient and ad-
25 vanced drive train vehicle industry;

1 “(IV) the biofuels industry;

2 “(V) the deconstruction and mate-
3 rials use industries;

4 “(VI) the energy efficiency assess-
5 ment industry serving the residential,
6 commercial, or industrial sectors; and

7 “(VII) manufacturers that
8 produce sustainable products using en-
9 vironmentally sustainable processes
10 and materials.

11 “(2) ACTIVITIES.—

12 “(A) NATIONAL RESEARCH PROGRAM.—

13 Under the program established under paragraph
14 (1), the Secretary, acting through the Bureau of
15 Labor Statistics, where appropriate, shall collect
16 and analyze labor market data to track work-
17 force trends resulting from energy-related initia-
18 tives carried out under this subsection. Activities
19 carried out under this paragraph shall include—

20 “(i) tracking and documentation of
21 academic and occupational competencies as
22 well as future skill needs with respect to re-
23 newable energy and energy efficiency tech-
24 nology;

1 “(ii) tracking and documentation of
2 occupational information and workforce
3 training data with respect to renewable en-
4 ergy and energy efficiency technology;

5 “(iii) collaborating with State agen-
6 cies, workforce investments boards, industry,
7 organized labor, and community and non-
8 profit organizations to disseminate informa-
9 tion on successful innovations for labor
10 market services and worker training with
11 respect to renewable energy and energy effi-
12 ciency technology;

13 “(iv) serving as a clearinghouse for
14 best practices in workforce development, job
15 placement, and collaborative training part-
16 nerships;

17 “(v) promoting the establishment of
18 workforce training initiatives with respect
19 to renewable energy and energy efficiency
20 technologies;

21 “(vi) linking research and development
22 in renewable energy and energy efficiency
23 technology with the development of stand-
24 ards and curricula for current and future
25 jobs;

1 “(vii) *assessing new employment and*
2 *work practices including career ladder and*
3 *upgrade training as well as high perform-*
4 *ance work systems; and*

5 “(viii) *providing technical assistance*
6 *and capacity building to national and state*
7 *energy partnerships, including industry*
8 *and labor representatives.*

9 “(B) *NATIONAL ENERGY TRAINING PART-*
10 *NERSHIP GRANTS.—*

11 “(i) *IN GENERAL.—Under the program*
12 *established under paragraph (1), the Sec-*
13 *retary shall award National Energy Train-*
14 *ing Partnerships Grants on a competitive*
15 *basis to eligible entities to enable such enti-*
16 *ties to carry out training that leads to eco-*
17 *nomie self-sufficiency and to develop an en-*
18 *ergy efficiency and renewable energy indus-*
19 *tries workforce. Grants shall be awarded*
20 *under this subparagraph so as to ensure ge-*
21 *ographic diversity with at least 2 grants*
22 *awarded to entities located in each of the 4*
23 *Petroleum Administration for Defense Dis-*
24 *tricts with no subdistricts, and at least 1*
25 *grant awarded to an entity located in each*

1 *of the subdistricts of the Petroleum Admin-*
2 *istration for Defense District with subdis-*
3 *tricts, as such districts are established by*
4 *the Secretary of Energy.*

5 “(ii) *ELIGIBILITY.*—*To be eligible to*
6 *receive a grant under clause (i), an entity*
7 *shall be a non-profit partnership that—*

8 “(I) *includes the equal participa-*
9 *tion of industry, including public or*
10 *private employers, and labor organiza-*
11 *tions, including joint labor-manage-*
12 *ment training programs, and may in-*
13 *clude workforce investment boards,*
14 *community-based organizations, edu-*
15 *cational institutions, small businesses,*
16 *cooperatives, State and local veterans*
17 *agencies, and veterans service organi-*
18 *zations; and*

19 “(II) *demonstrates—*

20 “(aa) *experience in imple-*
21 *menting and operating worker*
22 *skills training and education pro-*
23 *grams;*

24 “(bb) *the ability to identify*
25 *and involve in training programs*

1 carried out under this grant, tar-
 2 get populations of workers who
 3 would benefit from activities re-
 4 lated to energy efficiency and re-
 5 newable energy industries; and

6 “(cc) the ability to help
 7 workers achieve economic self-suf-
 8 ficiency.

9 “(iii) *PRIORITY.*—Priority shall be
 10 given to partnerships which leverage addi-
 11 tional public and private resources to fund
 12 training programs, including cash or in-
 13 kind matches from participating employers.

14 “(C) *STATE LABOR MARKET RESEARCH, IN-*
 15 *FORMATION, AND LABOR EXCHANGE RESEARCH*
 16 *PROGRAM.*—

17 “(i) *IN GENERAL.*—Under the program
 18 established under paragraph (1), the Sec-
 19 retary shall award competitive grants to
 20 States to enable such States to administer
 21 labor market and labor exchange informa-
 22 tion programs that include the implementa-
 23 tion of the activities described in clause (ii),
 24 in coordination with the one-stop delivery
 25 system.

1 “(ii) *ACTIVITIES.*—A State shall use
2 amounts awarded under a grant under this
3 subparagraph to provide funding to the
4 State agency that administers the Wagner-
5 Peyser Act and State unemployment com-
6 pensation programs to carry out the fol-
7 lowing activities using State agency merit
8 staff:

9 “(I) The identification of job
10 openings in the renewable energy and
11 energy efficiency sector.

12 “(II) The administration of skill
13 and aptitude testing and assessment
14 for workers.

15 “(III) The counseling, case man-
16 agement, and referral of qualified job
17 seekers to openings and training pro-
18 grams, including energy efficiency and
19 renewable energy training programs.

20 “(D) *STATE ENERGY TRAINING PARTNER-*
21 *SHIP PROGRAM.*—

22 “(i) *IN GENERAL.*—Under the program
23 established under paragraph (1), the Sec-
24 retary shall award competitive grants to
25 States to enable such States to administer

1 *renewable energy and energy efficiency*
2 *workforce development programs that in-*
3 *clude the implementation of the activities*
4 *described in clause (ii).*

5 “(ii) *PARTNERSHIPS.—A State shall*
6 *use amounts awarded under a grant under*
7 *this subparagraph to award competitive*
8 *grants to eligible State Energy Sector Part-*
9 *nerships to enable such Partnerships to co-*
10 *ordinate with existing apprenticeship and*
11 *labor management training programs and*
12 *implement training programs that lead to*
13 *the economic self-sufficiency of trainees.*

14 “(iii) *ELIGIBILITY.—To be eligible to*
15 *receive a grant under this subparagraph, a*
16 *State Energy Sector Partnership shall—*

17 “(I) *consist of non-profit organi-*
18 *zations that include equal participa-*
19 *tion from industry, including public or*
20 *private nonprofit employers, and labor*
21 *organizations, including joint labor-*
22 *management training programs, and*
23 *may include representatives from local*
24 *governments, the workforce investment*
25 *system, including worker investment*

1 *agency one-stop career centers, commu-*
2 *nity based organizations, community*
3 *colleges, and other post-secondary insti-*
4 *tutions, small businesses, cooperatives,*
5 *State and local veterans agencies, and*
6 *veterans service organizations;*

7 *“(II) demonstrate experience in*
8 *implementing and operating worker*
9 *skills training and education pro-*
10 *grams; and*

11 *“(III) demonstrate the ability to*
12 *identify and involve in training pro-*
13 *grams, target populations of workers*
14 *who would benefit from activities re-*
15 *lated to energy efficiency and renew-*
16 *able energy industries.*

17 *“(iv) PRIORITY.—In awarding grants*
18 *under this subparagraph, the Secretary*
19 *shall give priority to States that dem-*
20 *onstrate that activities under the grant—*

21 *“(I) meet national energy policies*
22 *associated with energy efficiency, re-*
23 *newable energy, and the reduction of*
24 *emissions of greenhouse gases;*

1 “(II) meet State energy policies
2 associated with energy efficiency, re-
3 newable energy, and the reduction of
4 emissions of greenhouse gases; and

5 “(III) leverage additional public
6 and private resources to fund training
7 programs, including cash or in-kind
8 matches from participating employers.

9 “(v) COORDINATION.—A grantee under
10 this subparagraph shall coordinate activi-
11 ties carried out under the grant with exist-
12 ing other appropriate training programs,
13 including apprenticeship and labor man-
14 agement training programs, and implement
15 training programs that lead to the economic
16 self-sufficiency of trainees.

17 “(E) PATHWAYS OUT OF POVERTY DEM-
18 ONSTRATION PROGRAM.—

19 “(i) IN GENERAL.—Under the program
20 established under paragraph (1), the Sec-
21 retary shall award at least 10 competitive
22 grants to eligible entities to enable such en-
23 tities to carry out training that leads to
24 economic self-sufficiency. The Secretary
25 shall give priority to entities that serve in-

1 *dividuals in families with income of less*
2 *than 200 percent of the poverty threshold*
3 *(as determined by the Bureau of the Census)*
4 *or a self-sufficiency standard for the local*
5 *areas where the training is conducted that*
6 *specifies the income needs of families, by*
7 *family size, the number and ages of children*
8 *in the family, and sub-State geographical*
9 *considerations. Grants shall be awards to*
10 *ensure geographic diversity.*

11 *“(ii) ELIGIBLE ENTITIES.—To be eligi-*
12 *ble to receive a grant an entity shall be a*
13 *partnership that—*

14 *“(I) includes community-based*
15 *non-profit organizations, educational*
16 *institutions with expertise in serving*
17 *low-income adults or youth, public or*
18 *private employers from the industry*
19 *sectors described in paragraph*
20 *(1)(B)(ii), and labor organizations*
21 *representing workers in such industry*
22 *sectors;*

23 *“(II) demonstrates experience in*
24 *implementing and operating worker*

1 *skills training and education pro-*
2 *grams;*

3 *“(III) coordinates activities,*
4 *where appropriate, with the workforce*
5 *investment system; and*

6 *“(IV) demonstrates the ability to*
7 *recruit individuals for training and to*
8 *support such individuals to successful*
9 *completion in training programs car-*
10 *ried out under this grant, targeting*
11 *populations of workers who are or will*
12 *be engaged in activities related to en-*
13 *ergy efficiency and renewable energy*
14 *industries.*

15 *“(iii) PRIORITIES.—In awarding*
16 *grants under this paragraph, the Secretary*
17 *shall give priority to applicants that—*

18 *“(I) target programs to benefit*
19 *low-income workers, unemployed youth*
20 *and adults, high school dropouts, or*
21 *other underserved sectors of the work-*
22 *force within areas of high poverty;*

23 *“(II) ensure that supportive serv-*
24 *ices are integrated with education and*
25 *training, and delivered by organiza-*

1 *tions with direct access to and experi-*
2 *ence with targeted populations;*

3 *“(III) leverage additional public*
4 *and private resources to fund training*
5 *programs, including cash or in-kind*
6 *matches from participating employers;*

7 *“(IV) involve employers and labor*
8 *organizations in the determination of*
9 *relevant skills and competencies and*
10 *ensure that the certificates or creden-*
11 *tials that result from the training are*
12 *employer-recognized;*

13 *“(V) deliver courses at alternative*
14 *times (such as evening and weekend*
15 *programs) and locations most conven-*
16 *ient and accessible to participants; and*

17 *“(VI) link adult remedial edu-*
18 *cation with occupational skills train-*
19 *ing.*

20 *“(iv) DATA COLLECTION.—Grantees*
21 *shall collect and report the following infor-*
22 *mation:*

23 *“(I) The number of participants.*

24 *“(II) The demographic character-*
25 *istics of participants, including race,*

1 *gender, age, parenting status, partici-*
2 *pation in other Federal programs, edu-*
3 *cation and literacy level at entry, sig-*
4 *nificant barriers to employment (such*
5 *as limited English proficiency, crimi-*
6 *nal record, addiction or mental health*
7 *problem requiring treatment, or mental*
8 *disability).*

9 “(III) *The services received by*
10 *participants, including training, edu-*
11 *cation, and supportive services.*

12 “(IV) *The amount of program*
13 *spending per participant.*

14 “(V) *Program completion rates.*

15 “(VI) *Factors determined as sig-*
16 *nificantly interfering with program*
17 *participation or completion.*

18 “(VII) *The rate of job placement*
19 *and the rate of employment retention*
20 *after 1 year.*

21 “(VIII) *The average wage at*
22 *placement, including any benefits, and*
23 *the rate of average wage increase after*
24 *1 year.*

1 “(IX) *Any post-employment sup-*
2 *portive services provided.*

3 *The Secretary shall assist grantees in the*
4 *collection of data under this clause by mak-*
5 *ing available, where practicable, low-cost*
6 *means of tracking the labor market out-*
7 *comes of participants, and by providing*
8 *standardized reporting forms, where appro-*
9 *priate.*

10 “(3) *ACTIVITIES.—*

11 “(A) *IN GENERAL.—Activities to be carried*
12 *out under a program authorized by subpara-*
13 *graphs (B), (D), or (E) of paragraph (2) shall*
14 *be coordinated with existing systems or pro-*
15 *viders, as appropriate. Such activities may in-*
16 *clude—*

17 “(i) *occupational skills training, in-*
18 *cluding curriculum development, on-the-job*
19 *training, and classroom training;*

20 “(ii) *safety and health training;*

21 “(iii) *the provision of basic skills, lit-*
22 *eracy, GED, English as a second language,*
23 *and job readiness training;*

24 “(iv) *individual referral and tuition*
25 *assistance for a community college training*

1 *program, or any training program leading*
 2 *to an industry-recognized certificate;*

3 *“(v) internship programs in fields re-*
 4 *lated to energy efficiency and renewable en-*
 5 *ergy;*

6 *“(vi) customized training in conjunc-*
 7 *tion with an existing registered apprentice-*
 8 *ship program or labor-management part-*
 9 *nership;*

10 *“(vii) career ladder and upgrade train-*
 11 *ing;*

12 *“(viii) the implementation of transi-*
 13 *tional jobs strategies; and*

14 *“(ix) the provision of supportive serv-*
 15 *ices.*

16 *“(B) OUTREACH ACTIVITIES.—In addition*
 17 *to the activities authorized under subparagraph*
 18 *(A), activities authorized for programs under*
 19 *subparagraphs (D) or (E) of paragraph (2) may*
 20 *include the provision of outreach, recruitment,*
 21 *career guidance, and case management services.*

22 *“(4) WORKER PROTECTIONS AND NON-*
 23 *DISCRIMINATION REQUIREMENTS.—*

24 *“(A) APPLICATION OF WIA.—The provisions*
 25 *of sections 181 and 188 of the Workforce Invest-*

1 *ment Act of 1998 (29 U.S.C. 2931 and 2938)*
2 *shall apply to all programs carried out with as-*
3 *sistance under this subsection.*

4 “(B) *CONSULTATION WITH LABOR ORGANI-*
5 *ZATIONS.—If a labor organization represents a*
6 *substantial number of workers who are engaged*
7 *in similar work or training in an area that is*
8 *the same as the area that is proposed to be fund-*
9 *ed under this Act, the labor organization shall be*
10 *provided an opportunity to be consulted and to*
11 *submit comments in regard to such a proposal.*

12 “(5) *PERFORMANCE MEASURES.—*

13 “(A) *IN GENERAL.—The Secretary shall ne-*
14 *gotiate and reach agreement with the eligible en-*
15 *tities that receive grants and assistance under*
16 *this section on performance measures for the in-*
17 *dicators of performance referred to in subpara-*
18 *graph (A) and (B) of section 136(b)(2) that will*
19 *be used to evaluate the performance of the eligible*
20 *entity in carrying out the activities described in*
21 *subsection (e)(2). Each State and local perform-*
22 *ance measure shall consist of such an indicator*
23 *of performance, and a performance level referred*
24 *to in subparagraph (B).*

1 “(B) *PERFORMANCE LEVELS.*—The Sec-
2 retary shall negotiate and reach agreement with
3 the eligible entity regarding the levels of perform-
4 ance expected to be achieved by the eligible entity
5 on the indicators of performance.

6 “(6) *REPORT.*—

7 “(A) *STATUS REPORT.*—Not later than 18
8 months after the date of enactment of the Green
9 Jobs Act of 2007, the Secretary shall transmit a
10 report to Congress on the training program es-
11 tablished by this subsection. The report shall in-
12 clude a description of the entities receiving fund-
13 ing and the activities carried out by such enti-
14 ties.

15 “(B) *EVALUATION.*—Not later than 3 years
16 after the date of enactment of such Act, the Sec-
17 retary shall transmit to Congress an assessment
18 of such program and an evaluation of the activi-
19 ties carried out by entities receiving funding
20 from such program.

21 “(7) *DEFINITION.*—As used in this subsection,
22 the term ‘renewable energy’ has the meaning given
23 such term in section 203(b)(2) of the Energy Policy
24 Act of 2005 (Public Law 109–58).

1 “(8) *AUTHORIZATION OF APPROPRIATIONS.—*
2 *There is authorized to be appropriated to carry out*
3 *this subsection, \$125,000,000 for each fiscal years, of*
4 *which—*

5 “(A) *not to exceed 20 percent of the amount*
6 *appropriated in each such fiscal year shall be*
7 *made available for, and shall be equally divided*
8 *between, national labor market research and in-*
9 *formation under paragraph (2)(A) and State*
10 *labor market information and labor exchange re-*
11 *search under paragraph (2)(C), and not more*
12 *than 2 percent of such amount shall be for the*
13 *evaluation and report required under paragraph*
14 *(4);*

15 “(B) *20 percent shall be dedicated to Path-*
16 *ways Out of Poverty Demonstration Programs*
17 *under paragraph (2)(E); and*

18 “(C) *the remainder shall be divided equally*
19 *between National Energy Partnership Training*
20 *Grants under paragraph (2)(B) and State en-*
21 *ergy training partnership grants under para-*
22 *graph (2)(D).”.*

Union Calendar No. 167

110TH CONGRESS
1ST Session

H. R. 2847

[Report No. 110-262]

A BILL

To amend the Workforce Investment Act of 1998
to establish an energy efficiency and renewable
energy worker training program.

JULY 27, 2007

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the Union,
and ordered to be printed