

111TH CONGRESS
1ST SESSION

H. R. 2497

To amend title 49, United States Code, to expand and improve transit training programs.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2009

Mr. NADLER of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to expand and improve transit training programs.

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 “Transportation Job
5 Corps Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There are millions of young people ages 16
9 through 24 who are neither in school nor in the
10 labor force.

1 (2) According to a report issued by the Commu-
2 nity Service Society in June 2008, entitled “Out of
3 Focus: A Snapshot of Public Funding to Reconnect
4 Youth to Education and Employment”, the young
5 people described in paragraph (1), often referred to
6 as disconnected youth, are largely youth of color
7 from poor communities and at risk of becoming per-
8 manently disengaged from the labor market which
9 threatens their ability to break out of the cycle of
10 poverty and contribute to our economy and commu-
11 nities.

12 (3) When our young people lack the skills that
13 local industries need and are unable to support
14 themselves, we all bear the financial costs.

15 (4) In the coming years, the combination of
16 public transportation industry growth and an aging
17 workforce will produce sizeable new openings in the
18 transit sector.

19 (5) There is no pipeline of replacements on the
20 horizon, and the transit industry has been limited in
21 its ability to attract, recruit, and retain employees.

22 (6) For the existing workforce, new technology
23 is rapidly changing the way transit agencies func-
24 tion, affecting every sector of the workforce, includ-
25 ing executive directors, mid-level managers, bus op-

1 erators, and mechanics, yet relatively few programs
 2 exist to provide training to workers so that they can
 3 perform their jobs adequately, move up the career
 4 ladder, and help the Nation’s transit agencies oper-
 5 ate at maximum efficiency.

6 **SEC. 3. WORKFORCE DEVELOPMENT PROGRAMS.**

7 (a) WORKFORCE DEVELOPMENT PROGRAM.—Title
 8 49, United States Code, is amended—

9 (1) by striking section 5322; and

10 (2) by inserting the following:

11 **“SEC. 5322. WORKFORCE DEVELOPMENT PROGRAMS.**

12 “(a) NATIONAL JOINT WORKFORCE DEVELOPMENT
 13 COUNCIL.—

14 “(1) ESTABLISHMENT.—Not later than 180
 15 days after the date of enactment of the Transpor-
 16 tation Job Corps Act of 2009, the Administrator of
 17 the Federal Transit Administration shall establish a
 18 National Joint Workforce Development Council (re-
 19 ferred to in this section as the ‘National Council’).

20 “(2) COMPOSITION.—

21 “(A) VOTING MEMBERS.—Two representa-
 22 tives, one representing labor and one rep-
 23 resenting management, from each Regional
 24 Workforce Development Board described in
 25 subsection (c), shall be elected by majority vote

1 of labor and management representatives re-
2 spectively, on each Regional Board, to serve on
3 the National Council.

4 “(B) EX OFFICIO MEMBERS.—The Admin-
5 istrator shall appoint as non-voting ex officio
6 members to the National Council—

7 “(i) up to 10 members, such as rep-
8 resentatives of transit trade associations,
9 non-profit organizations, research organi-
10 zations, community colleges and univer-
11 sities, private industry, and any other
12 group or individual the Administrator be-
13 lieves would contribute to the National
14 Council;

15 “(ii) a representative of the Inter-
16 national Transportation Learning Center
17 which administers the transit career ladder
18 training program authorized pursuant to
19 section 3046 of the Safe, Accountable,
20 Flexible, Efficient Transportation Equity
21 Act: A Legacy for Users (49 U.S.C. 5338
22 note); and

23 “(iii) an individual who has expertise
24 in youth development programs.

1 “(3) DUTIES.—The National Council shall with
2 a national focus—

3 “(A) conduct a prevue national study on
4 transit workforce development issues;

5 “(B) identify skills gaps in transit agency
6 maintenance departments and develop programs
7 to train maintenance employees and fixed route
8 and paratransit operators;

9 “(C) develop programs to address the re-
10 cruitment and retention of managerial and non-
11 managerial employees;

12 “(D) initiate relationships with nontrans-
13 portation sector industries, associations, and
14 groups in the public and private sector to de-
15 velop best practices in training and skills devel-
16 opment and determine appropriate ways to col-
17 laborate on behalf of disconnected youth;

18 “(E) conduct research on transit workforce
19 development issues and develop best practices
20 for recruitment, training, and retention of em-
21 ployees;

22 “(F) conduct research on the extent of
23 labor market disconnection among disconnected
24 youth and assess the provision of employment
25 services for such youth;

1 “(G) make recommendations to the Sec-
2 retary and to public transit agencies regarding
3 how to expand current employment training
4 programs, outreach programs to increase mi-
5 nority and female employment in public trans-
6 portation activities, and apprenticeship pro-
7 grams;

8 “(H) develop programs and make rec-
9 ommendations to public transit agencies to ad-
10 dress issues related to workplace quality of life
11 issues, including absenteeism, scheduling, child
12 care, and other issues that may be necessary to
13 improve recruitment and retention of employ-
14 ees;

15 “(I) maintain and update routinely an elec-
16 tronic library, consisting of such materials as
17 online courseware and training manuals, white
18 papers, research materials, and other related
19 items;

20 “(J) provide periodic assessments to the
21 Secretary, on studies and programs carried out
22 on the national level;

23 “(K) coordinate research and program de-
24 velopment of the Regional Boards pursuant to

1 subsection (c), to reduce duplication and assure
2 complimentary research goals; and

3 “(L) make recommendations to the Sec-
4 retary for guidance on grant programs carried
5 out in subsection (d) taking into account the
6 recommendations of the Regional Boards.

7 “(b) REGIONAL WORKFORCE DEVELOPMENT COUN-
8 CILS.—

9 “(1) ESTABLISHMENT.—Not later than 90 days
10 after the date of enactment of the Transportation
11 Job Corps Act of 2009, the Administrator of the
12 Federal Transit Administration shall establish a
13 workforce development council in each of its 10 re-
14 gions.

15 “(2) COMPOSITION.—

16 “(A) SELECTION OF REGIONAL COUN-
17 CILS.—The management of each public transit
18 agency and the labor organization representing
19 the majority of employees at each such transit
20 agency in a region shall select one representa-
21 tive for the council established under paragraph
22 (1).

23 “(B) ELECTION OF GOVERNING BOARD.—
24 The selected individuals from each transit agen-
25 cy shall elect, by majority vote from among

1 members of such council, a governing board for
2 the region, including a co-chairperson from
3 among the representatives from labor and a co-
4 chairperson from among the representatives
5 from management.

6 “(c) REGIONAL GOVERNING BOARDS.—

7 “(1) COMPOSITION OF GOVERNING BOARDS.—

8 The governing board for each region shall be com-
9 posed of not more than 10 members elected by the
10 Council pursuant to subsection (b)(2).

11 “(2) DUTIES.—The governing board for each
12 region shall on a regional basis—

13 “(A) identify skills gaps in transit agency
14 maintenance departments and develop programs
15 to train maintenance employees and fixed route
16 and paratransit operators on a regional basis;

17 “(B) develop programs to address the re-
18 cruitment and retention of managerial and non-
19 managerial employees;

20 “(C) initiate relationships with nontrans-
21 portation sector industries, associations, and
22 groups in the public and private sector to de-
23 velop best practices in training and skills devel-
24 opment and determine appropriate ways to col-
25 laborate on behalf of disconnected youth;

1 “(D) conduct research on transit workforce
2 development issues and develop best practices
3 for recruitment, training, and retention of em-
4 ployees;

5 “(E) conduct research on the extent of
6 labor market disconnection among disconnected
7 youth and assess the provision of employment
8 services for such youth;

9 “(F) make recommendations to the Sec-
10 retary and to public transit agencies regarding
11 how to expand current employment training
12 programs, outreach programs to increase mi-
13 nority and female employment in public trans-
14 portation activities, and apprenticeship pro-
15 grams;

16 “(G) develop programs and make rec-
17 ommendations to public transit agencies to ad-
18 dress issues related to workplace quality of life
19 issues, including absenteeism, scheduling, child
20 care, and other issues that may be necessary to
21 improve recruitment and retention of employ-
22 ees;

23 “(H) provide periodic assessments to the
24 Secretary and to the National Joint Workforce
25 Development Council established under sub-

1 section (a), on studies and programs carried out
2 on the regional level; and

3 “(I) make recommendations to the Na-
4 tional Joint Workforce Development Council for
5 guidance on grant programs carried out under
6 subsection (d).

7 “(3) EX OFFICIO MEMBERS.—

8 “(A) POSSIBLE APPOINTMENTS.—The Ad-
9 ministrator—

10 “(i) shall appoint representatives in
11 accordance with subparagraph (B); and

12 “(ii) may appoint non-voting ex officio
13 members to each regional governing board
14 from among representatives of nonprofit
15 organizations, research organizations, and
16 any other groups or individuals the Admin-
17 istrator believes would contribute to the
18 board.

19 “(B) APPOINTMENTS FOR INTERNATIONAL
20 TRANSPORTATION LEARNING CENTER AND FED-
21 ERAL TRANSIT ADMINISTRATORS.—The Admin-
22 istrator shall appoint as a non-voting ex officio
23 member to the regional governing board of the
24 respective region—

1 “(i) one or more representatives of the
2 International Transportation Learning
3 Center which administers the transit ca-
4 reer ladder training program authorized by
5 section 3046 of the Safe, Accountable,
6 Flexible, Efficient Transportation Equity
7 Act: A Legacy for Users (Public Law 109–
8 59);

9 “(ii) the Federal Transit Administra-
10 tors of each of the 10 regions; and

11 “(iii) an individual who has expertise
12 in youth development programs.

13 “(d) GRANT PROGRAMS.—

14 “(1) IN GENERAL.—The Secretary, acting
15 through the Administrator and taking into account
16 the recommendations of the National Council under
17 subsection (a) and the Regional Governing Boards
18 under subsection (c), shall establish grant programs
19 as follows:

20 “(A) TRANSIT YOUTH OPPORTUNITY.—

21 “(i) BASIC SKILLS EDUCATION AND
22 PRE-APPRENTICESHIP SKILLS.—

23 “(I) APPLICATIONS.—The Ad-
24 ministrator shall accept applications
25 for grants from nonprofit organiza-

1 tions and public or privately funded
2 educational institutions providing aca-
3 demic or technical instruction to en-
4 courage and introduce youth discon-
5 nected to a variety of careers in the
6 transit industry by providing such
7 youth with basic skills education, if
8 necessary, and pre-apprenticeship
9 skills.

10 “(II) PRIORITY.—The Adminis-
11 trator shall give priority for such
12 grants to organizations with a proven
13 record of success in providing discon-
14 nected youth with basic education and
15 pre-apprenticeship skills.

16 “(ii) APPRENTICESHIPS.—The Admin-
17 istrator shall accept applications from
18 partnerships of transit agencies and the
19 unions representing non-managerial em-
20 ployees for grants to develop local and re-
21 gional labor-management apprenticeship
22 programs aligned with national transit in-
23 dustry apprenticeship programs for a vari-
24 ety of transit-related jobs, by giving pri-
25 ority to individuals who have successfully

1 completed a pre-apprenticeship program
2 pursuant to clause (i).

3 “(B) TRANSIT WORKER EDUCATION AND
4 RETENTION GRANTS.—

5 “(i) APPLICATIONS.—The Adminis-
6 trator shall accept applications from—

7 “(I) in the case of non-manage-
8 rial employees, partnerships of transit
9 agencies and the unions representing
10 non-managerial employees; and

11 “(II) in the case of managerial
12 employees, from providers of manage-
13 ment and technical programs for the
14 delivery of such programs and the re-
15 lated costs of attendee participation.

16 “(ii) USE OF GRANT FUNDS.—Funds
17 for a grant under this subparagraph may
18 be used—

19 “(I) to develop education pro-
20 grams in a variety of training settings
21 for transit employees from diverse
22 population groups to maintain and
23 improve job skills and advance em-
24 ployee development across a career
25 span; and

1 “(II) assisting individuals to ob-
2 tain education and training required
3 to enter the transit profession and ad-
4 vance within such profession, such as
5 by providing career counseling and
6 mentoring.

7 “(C) WORKFORCE DIVERSITY GRANTS.—
8 The Administrator shall accept applications
9 from partnerships of transit agencies and the
10 unions representing non-managerial employees
11 for a grant to develop special projects to in-
12 crease education opportunities within the tran-
13 sit industry for individuals who are from dis-
14 advantaged backgrounds, including racial and
15 ethnic minorities under-represented among
16 transit management, by providing student
17 scholarships or stipends, pre-entry preparation,
18 and retention activities.

19 “(2) GRANT REQUIREMENTS.—A grant under
20 this section shall be subject to all requirements of a
21 grant under section 5307.

22 “(e) FUNDING.—In addition to the amounts set forth
23 in section 5315(d), there are authorized to be appro-
24 priated—

1 “(1) to carry out subsections (a), (b), and (c),
2 \$10,000,000 for each of fiscal years 2010 through
3 2011; and

4 “(2) to carry out subparagraphs of subsection
5 (d), \$90,000,000 for each of fiscal years 2010 and
6 2011.

7 “(f) CERTIFICATION.—The Administrator shall de-
8 velop a category on ‘Workforce Development’ on its annual
9 Certifications and Assurances for Federal Transit Admin-
10 istration Assistance Programs in accordance with section
11 5323(n), and include such category as one of the areas
12 of certification beginning in fiscal year 2010. Such cat-
13 egory shall require transit agencies to develop short-range
14 and long-range planning with regard to workforce develop-
15 ment matters, with a particular focus on the recruitment,
16 retention, and training of managerial and non-managerial
17 employees.

18 “(g) DEFINITION.—For purposes of this section, the
19 term ‘disconnected youth’ means individuals ages 16
20 through 24 who are out of school and not employed and
21 composed primarily of youth of color from poor commu-
22 nities and at risk of becoming permanently disengaged
23 from the labor market which threatens their ability to

- 1 break out of the cycle of poverty and contribute to our
- 2 economy and communities.”.

