

115TH CONGRESS
1ST SESSION

H. R. 4115

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

OCTOBER 25, 2017

Ms. BONAMICI (for herself and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on Education and the Workforce, 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 2017” 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 INTERMEDIARY.**—The term “eli-
 10 gible intermediary” means an industry or sector
 11 partnership as defined in section 3 of the Workforce
 12 Innovation and Opportunity Act (29 U.S.C. 3102)
 13 that submits and obtains approval of an application
 14 consistent 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) **REGISTERED APPRENTICESHIP.**—The term
 21 “registered apprenticeship” means an apprenticeship
 22 registered under the Act of August 16, 1937 (com-
 23 monly known as the “National Apprenticeship Act”;
 24 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

25 (4) **WORK-BASED LEARNING PROGRAM.**—The
 26 term “work-based learning program” means a pro-

1 gram that provides workers with paid work experi-
2 ence and corresponding classroom instruction, deliv-
3 ered in an employment relationship that both the
4 business and worker intend to be permanent.

5 (5) **WORKFORCE TERMS.**—The terms “Gov-
6 ernor”, “industry or sector partnership”, “local
7 board”, “State board”, “outlying area”, “recognized
8 postsecondary credential”, and “State” have the
9 meanings given the terms in section 3 of the Work-
10 force Innovation and Opportunity Act (29 U.S.C.
11 3102).

12 (6) **SECRETARY.**—The term “Secretary” means
13 the Secretary of Labor.

14 **SEC. 4. AVAILABILITY OF FUNDS.**

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

19 **SEC. 5. ALLOTMENTS TO STATES.**

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

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

1 (2) not more than 2 percent of those amounts
 2 for the costs of evaluations conducted under section
 3 8(b); and

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

6 (b) ALLOTMENTS.—

7 (1) IN GENERAL.—Of the amounts available for
 8 this Act under section 4(a) that remain after the
 9 Secretary makes the reservations under subsection
 10 (a), the Secretary shall, for the purpose of sup-
 11 porting (which may include establishing) local or re-
 12 gional industry or sector partnerships to carry out
 13 work-based learning programs under this Act, make
 14 allotments to eligible States in accordance with
 15 clauses (ii) through (v) of section 132(b)(1)(B) of
 16 the Workforce Innovation and Opportunity Act (29
 17 U.S.C. 3162(b)(1)(C)), subject to paragraph (2).

18 (2) APPLICATION.—For purposes of applying
 19 the clauses described in paragraph (1), under para-
 20 graph (1), the Secretary—

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

24 (B) shall apply clause (iv)(II) by sub-
 25 stituting “0.5 percent of the remaining amounts

1 described in paragraph (1)” for the total de-
2 scribed in that clause;

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

4 (D) shall apply clause (v)(II) by sub-
5 stituting “The term ‘allotment percentage’,
6 used with respect to the second full fiscal year
7 after the date of enactment of this Act, or a
8 subsequent fiscal year, means a percentage of
9 the remaining amounts described in paragraph
10 (1) that is received through an allotment made
11 under this subsection for the fiscal year.” for
12 the two sentences in that clause; and

13 (E) shall apply clause (v)(III) by sub-
14 stituting “a work-based learning program car-
15 ried out under this Act” for “a program of
16 workforce investment activities carried out
17 under this subtitle”.

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

1 (4) DEFINITION.—In this subsection, the term
2 “eligible State” means a State that meets the re-
3 quirements of section 102 or 103 of the Workforce
4 Innovation and Opportunity Act (29 U.S.C. 3112,
5 3113) and subsection (c).

6 (c) STATE ELIGIBILITY.—To be eligible to receive an
7 allotment under subsection (b), a State, in consultation
8 with State boards and local boards, shall submit an appli-
9 cation to the Secretary, at such time, in such manner, and
10 containing a description of the activities to be carried out
11 with the grant funds. At a minimum, the application shall
12 include information on—

13 (1) the local or regional industry or sector part-
14 nerships that will be supported, including the lead
15 partners for the partnerships and how the partner-
16 ships will work to engage small and medium-sized
17 businesses, as applicable, in the activities of the
18 partnerships;

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

1 (3) the registered apprenticeship programs or
2 other work-based learning programs to be supported
3 through the partnerships;

4 (4) the populations that will receive services, in-
5 cluding individuals with barriers to employment and
6 populations that were historically underrepresented
7 in the industry sectors to be served through the
8 partnerships;

9 (5) the services, including business engagement,
10 classroom instruction, and support services (includ-
11 ing at least 6 months of post-employment support
12 services), that will be supported through the grant
13 funds;

14 (6) the recognized postsecondary credentials
15 that workers will obtain through participation in the
16 program and the quality of the program that lead to
17 the credentials;

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

22 (8) how local or regional partnerships will lever-
23 age additional resources, including funding provided
24 under title I of the Workforce Innovation and Op-
25 portunity Act (29 U.S.C. 3111 et seq.) and non-

1 Federal resources, to support the activities carried
2 out under this Act; and

3 (9) such other subjects as the Secretary may
4 require.

5 (d) REVIEW OF APPLICATIONS.—The Secretary shall
6 review applications submitted under subsection (c) in con-
7 sultation with the Secretary of Education and the Sec-
8 retary of Health and Human Services.

9 **SEC. 6. GRANTS TO ELIGIBLE INTERMEDIARIES.**

10 (a) GRANTS.—

11 (1) IN GENERAL.—The Governor of a State
12 that receives an allotment under section 5 shall use
13 the funds made available through the allotment and
14 not reserved under subsection (d) to award grants to
15 eligible intermediaries. The Governor shall award the
16 grants for the purpose of supporting (which may in-
17 clude establishing) local or regional industry or sec-
18 tor partnerships that will carry out activities de-
19 scribed in section 7 and are identified in the applica-
20 tion submitted under section 5(c).

21 (2) PERIOD AND AMOUNT OF GRANT.—A State
22 may make a grant under this section for a period of
23 3 years, and in an amount of not more than
24 \$500,000.

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

6 (b) ELIGIBILITY.—To be eligible to receive a grant
7 under this section, an eligible intermediary shall designate
8 an entity represented in the partnership that comprises
9 the eligible intermediary, to serve as the fiscal agent for
10 purposes of the grant.

11 (c) AWARDS OF GRANTS.—

12 (1) PARTICIPATION IN MULTIPLE PARTNER-
13 SHIPS.—Subject to paragraph (2), an entity may be
14 represented in more than one partnership that is an
15 eligible intermediary receiving a grant under this
16 section.

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

21 (d) ADMINISTRATION.—The State may reserve not
22 more than 5 percent of the amount of an allotment under
23 section 5 for the administration of the grants awarded
24 under this section.

1 **SEC. 7. USE OF FUNDS.**

2 (a) IN GENERAL.—An eligible intermediary that re-
3 ceives a grant under section 6 shall use the grant funds
4 to support a registered apprenticeship or other work-based
5 learning program, including supporting the activities de-
6 scribed in subsections (b) and (c) and such other strate-
7 gies as may be necessary to support the development and
8 implementation of work-based learning programs, and
9 participant retention in and completion of those programs.

10 (b) BUSINESS ENGAGEMENT.—The eligible inter-
11 mediary shall use grant funds to provide services to en-
12 gage businesses in work-based learning programs, which
13 may include assisting a small or medium-sized business
14 with—

15 (1) the navigation of the registration process
16 for a sponsor of a registered apprenticeship pro-
17 gram;

18 (2) the connection of the business with an edu-
19 cation provider to develop classroom instruction to
20 complement on-the-job learning;

21 (3) the development of a curriculum for a work-
22 based learning program;

23 (4) the employment of workers in a work-based
24 learning program for a transitional period before the
25 business hires an individual for permanent employ-
26 ment in a work-based learning program;

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

4 (6) the provision of career awareness activities;
5 and

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

10 (A) workers in programs under the Work-
11 force Innovation and Opportunity Act (29
12 U.S.C. 3101 et seq.);

13 (B) recipients of assistance through the
14 supplemental nutrition assistance program es-
15 tablished under the Food and Nutrition Act of
16 2008 (7 U.S.C. 2011 et seq.); and

17 (C) recipients of assistance through the
18 program of block grants to States for tem-
19 porary assistance for needy families established
20 under part A of title IV of the Social Security
21 Act (42 U.S.C. 601 et seq.).

22 (c) SUPPORT SERVICES FOR WORKERS.—

23 (1) IN GENERAL.—The eligible intermediary
24 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;

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

(C) additional mentorship and retention supports for such individuals;

(D) provision of tools, work attire, and other required items necessary to start employment; and

(E) provision of transportation or child care services.

(2) LENGTH OF SERVICES.—Each eligible intermediary shall provide support services for workers for not less than 12 months after the date of placement of an individual in a work-based learning program. That 12-month period shall include a period of pre-work-based learning or training, a transitional period of employment as described in subsection (b)(4), and a period of permanent employment in the work-based learning program.

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 intermediary 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 intermediary with respect to the performance in-
9 dicators under section 116(b)(2)(A) of the Work-
10 force Innovation and Opportunity Act (29 U.S.C.
11 3141(b)(2)(A)), for all workers; and

12 (2) levels of performance achieved by the eligi-
13 ble intermediary with respect to the performance in-
14 dicators under that section 116(b)(2)(A), with re-
15 spect to individuals with barriers to employment,
16 disaggregated by each population specified in section
17 3(24) of the Workforce Innovation and Opportunity
18 Act (29 U.S.C. 3102(24)) and by race, ethnicity,
19 sex, and age.

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

1 (1) the information provided by the eligible
2 intermediaries through the local reports; and

3 (2) the State level of performance, aggregated
4 across all eligible intermediaries, with respect to the
5 performance indicators described in subsection (a).

6 **SEC. 9. CONFORMING AMENDMENTS.**

7 (a) AMERICAN COMPETITIVENESS AND WORKFORCE
8 IMPROVEMENT ACT OF 1998.—Section 414(c) of the
9 American Competitiveness and Workforce Improvement
10 Act of 1998 (29 U.S.C. 2916a) is repealed.

11 (b) IMMIGRATION AND NATIONALITY ACT.—Section
12 286(s)(2) of the Immigration and Nationality Act (8
13 U.S.C. 1356(s)(2)) is amended to read as follows:

14 “(2) USE OF FEES FOR WORK-BASED LEARNING
15 PROGRAMS.—50 percent of amounts deposited into
16 the H–1B Nonimmigrant Petitioner Account shall
17 remain available to the Secretary of Labor until ex-
18 pended to carry out the PARTNERS Act.”.

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