

115TH CONGRESS
2D SESSION

S. 3082

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

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2018

Ms. BALDWIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To promote registered apprenticeships and other work-based learning opportunities for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of eligible 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 2018” 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 opportunities
4 for small and medium-sized businesses within in-demand
5 industry sectors, through the establishment and support
6 of eligible 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 that submits and obtains approval of an ap-
12 plication consistent with section 6(b).

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

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

22 (4) **REGISTERED APPRENTICESHIP.**—The term
23 “registered apprenticeship” means an apprenticeship
24 registered under the Act of August 16, 1937 (com-
25 monly known as the “National Apprenticeship Act”;
26 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

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

3 (6) WORK-BASED LEARNING OPPORTUNITY.—

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

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

18 (7) WORKFORCE TERMS.—The terms “Gov-
19 ernor”, “individual with a barrier to employment”,
20 “industry or sector partnership”, “local area”, “local
21 board”, “outlying area”, “recognized postsecondary
22 credential”, “region”, “State”, and “supportive serv-
23 ices”, used with respect to activities supported under
24 this Act, have the meanings given the terms in sec-

tion 3 of the Workforce Innovation and Opportunity
Act (29 U.S.C. 3102).

SEC. 4. AVAILABILITY OF FUNDS.

From funds paid into the general fund of the Treasury and available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), the Secretary shall carry out this Act.

SEC. 5. ALLOTMENTS TO STATES.

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

(1) not more than 5 percent of those amounts for the costs of technical assistance and Federal administration of this Act;

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

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

(b) ALLOTMENTS.—

(1) IN GENERAL.—Of the amounts available for this Act under section 4 that remain after the Secretary makes the reservations under subsection (a), the Secretary shall, for the purpose of assisting (which may include assistance in establishing expanded) local or regional eligible partnerships to

1 support work-based learning opportunities 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)(B)), 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’,
20 used with respect to the second full fiscal year
21 after the date of enactment of this Act, or a
22 subsequent fiscal year, means a percentage of
23 the remaining amounts described in paragraph
24 (1) that is received through an allotment made

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

3 (E) shall apply clause (v)(III) by sub-
 4 stituting “a work-based learning opportunity
 5 carried 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 shall submit an
 22 application to the Secretary, at such time, in such manner,
 23 and containing a description of the activities to be carried
 24 out with the grant funds. At a minimum, the application
 25 shall include information on—

1 (1) the industry or sector of the local or re-
2 gional industry or sector partnerships that will be
3 supported, the lead partners for the partnerships,
4 and how the partnerships will work to engage small
5 and medium-sized businesses, as applicable, in the
6 activities of the partnerships;

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

13 (3) the registered apprenticeship programs or
14 other work-based learning opportunities to be sup-
15 ported through the partnerships;

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

21 (5) the services, including business engagement,
22 classroom instruction, and supportive services (in-
23 cluding at least 6 months of post-employment sup-
24 portive services), that will be supported through the
25 grant funds;

1 (6) the recognized postsecondary credentials
 2 that workers will obtain through participation in the
 3 work-based learning opportunity and the quality of
 4 the learning opportunity that leads to the creden-
 5 tials;

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

10 (8) how the partnerships will leverage addi-
 11 tional resources, including funding provided under
 12 title I of the Workforce Innovation and Opportunity
 13 Act (29 U.S.C. 3111 et seq.) and non-Federal re-
 14 sources, to support the activities carried out under
 15 this Act.

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

20 **SEC. 6. GRANTS TO PARTNERSHIPS.**

21 (a) GRANTS.—

22 (1) IN GENERAL.—The Governor of a State
 23 that receives an allotment under section 5 shall use
 24 the funds made available through the allotment and
 25 not reserved under subsection (d) to award grants to

1 industry or sector partnerships that seek to become
2 eligible partnerships. The Governor shall award the
3 grants for the purpose of assisting (which may in-
4 clude establishing expanded) local or regional indus-
5 try or sector partnerships that are identified in the
6 application submitted under section 5(c), to carry
7 out activities described in section 7.

8 (2) PERIOD AND AMOUNT OF GRANT.—A State
9 may make a grant under this section for a period of
10 3 years, and in an amount of not more than
11 \$500,000.

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

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

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

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

1 (c) AWARDS OF GRANTS.—

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

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

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

15 **SEC. 7. USE OF FUNDS.**

16 (a) IN GENERAL.—An eligible partnership that re-
17 ceives a grant under section 6 shall use the grant funds
18 to support a registered apprenticeship or other work-based
19 learning opportunity. The eligible partnership shall use
20 the grant funds to support the activities described in sub-
21 sections (b) and (c) and such other strategies as may be
22 necessary to support the development and implementation
23 of work-based learning opportunities, and participant re-
24 tention in and completion of those opportunities. The part-

1 nership may use the grant funds to establish an expanded
2 eligible partnership.

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

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

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

14 (3) the development of a curriculum for a work-
15 based learning opportunity;

16 (4) the employment of workers in a work-based
17 learning opportunity for a transitional period before
18 the business hires an individual for continuing em-
19 ployment;

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

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

1 (7) the recruitment of individuals to participate
 2 in a work-based learning opportunity from individ-
 3 uals receiving additional workforce and human serv-
 4 ices, including—

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

8 (B) recipients of assistance through the
 9 supplemental nutrition assistance program es-
 10 tablished under the Food and Nutrition Act of
 11 2008 (7 U.S.C. 2011 et seq.); and

12 (C) recipients of assistance through the
 13 program of block grants to States for tem-
 14 porary assistance for needy families established
 15 under part A of title IV of the Social Security
 16 Act (42 U.S.C. 601 et seq.).

17 (c) SUPPORTIVE SERVICES FOR WORKERS.—

18 (1) IN GENERAL.—The eligible partnership
 19 shall use grant funds to provide supportive services
 20 for workers to assure their success in work-based
 21 learning opportunities, which may include—

22 (A) connection of individuals with adult
 23 basic education;

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 during pre-
 6 work-based learning or training for the learning
 7 opportunities, and during periods of employ-
 8 ment for the learning opportunities;

9 (D) provision of tools, work attire, and
 10 other required items necessary to start employ-
 11 ment; and

12 (E) provision of transportation, child care
 13 services, or other supportive services.

14 (2) LENGTH OF SERVICES.—Each eligible part-
 15 nership shall provide supportive services for workers
 16 for not less than 12 months after the date of place-
 17 ment of an individual in a work-based learning op-
 18 portunity. That 12-month period shall include a pe-
 19 riod of pre-work-based learning or training, a transi-
 20 tional period of employment as described in sub-
 21 section (b)(4), and a period of continuing employ-
 22 ment.

23 **SEC. 8. PERFORMANCE AND ACCOUNTABILITY.**

24 (a) LOCAL REPORTS.—Not later than 1 year after
 25 receiving a grant under section 6, and annually thereafter,

1 each eligible partnership in a State shall conduct an eval-
2 uation and submit to the State a local report containing
3 information on—

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

9 (A) for all workers in the work-based
10 learning opportunity involved; and

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

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

19 (A) for individuals with barriers to employ-
20 ment in the work-based learning opportunity in-
21 volved; and

22 (B) for all such individuals, disaggregated
23 by each population specified in section 3(24) of
24 the Workforce Innovation and Opportunity Act
25 and by race, ethnicity, sex, and age.

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

7 (1) the information provided by the eligible
 8 partnerships through the local reports; and

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

12 **SEC. 9. CONFORMING AMENDMENTS.**

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

17 (b) IMMIGRATION AND NATIONALITY ACT.—Section
 18 286(s)(2) of the Immigration and Nationality Act (8
 19 U.S.C. 1356(s)(2)) is amended to read as follows:

20 “(2) USE OF FEES FOR WORK-BASED LEARNING
 21 OPPORTUNITIES.—50 percent of amounts deposited
 22 into the H–1B Nonimmigrant Petitioner Account
 23 shall remain available to the Secretary of Labor
 24 until expended to carry out the PARTNERS Act.”.

○