

115TH CONGRESS  
2D SESSION

# S. 3784

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

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

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## A BILL

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

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 “Investing in Tomor-  
5 row’s Workforce Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) In 2014, the United States spent just 0.1  
9 percent of the Nation’s Gross Domestic Product on  
10 labor market policies, less than half of what the

1 United States spent on labor market policies 30  
2 years ago.

3 (2) The number of workers receiving federally  
4 supported training has declined in the past 3 dec-  
5 ades as advances in technology have simultaneously  
6 shifted labor market demand over time.

7 (3) As much as 47 percent of all jobs in the  
8 United States are at risk of being replaced by auto-  
9 mation technology, and job losses from automation  
10 are more likely to impact workers making less than  
11 \$40,000 annually.

12 (4) Strong Federal investment in expanding  
13 training services for workers whose jobs may be lost  
14 due to automation could prepare the United States  
15 workforce to better adapt to changes in the labor  
16 market and enter into skilled positions in techno-  
17 logically oriented occupations and industries.

18 (5) A focus on preparing the workforce of the  
19 United States for jobs that utilize advanced tech-  
20 nologies could grow wages, increase economic pro-  
21 ductivity, and boost the competitiveness of the  
22 United States.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1           (1) AUTOMATION.—The term “automation”  
2 means a device, process, or system that functions  
3 without continuous input from an operator, includ-  
4 ing—

5           (A) advanced technologies, such as—

6                 (i) data collection, classification proc-  
7                 essing, and analytics; and

8                 (ii) 3-D printing, digital design and  
9                 simulation, and digital manufacturing;

10           (B) robotics, including collaborative robot-  
11           ics, and worker augmentation technology;

12           (C) autonomous vehicle technology; or

13           (D) autonomous machinery technology.

14           (2) DISLOCATED WORKER.—The term “dis-  
15           located worker” has the meaning given the term in  
16           section 3 of the Workforce Innovation and Oppor-  
17           tunity Act (29 U.S.C. 3102).

18           (3) IN-DEMAND INDUSTRY SECTOR OR OCCUPA-  
19           TION.—The term “in-demand industry sector or oc-  
20           cupation” has the meaning given the term in section  
21           3 of that Act.

22           (4) INTEGRATED EDUCATION AND TRAINING.—  
23           The term “integrated education and training” has  
24           the meaning given the term in section 3 of that Act.

1           (5) ELIGIBLE PARTNERSHIP.—The term “eligi-  
2           ble partnership” means an industry or sector part-  
3           nership, as defined in section 3 of that Act, except  
4           that—

5                   (A) for purposes of applying paragraph  
6                   (26)(A)(iii) of that section, the term “institu-  
7                   tion of higher education” has the meaning given  
8                   the term in section 101 of the Higher Edu-  
9                   cation Act of 1965 (20 U.S.C. 1001); and

10                   (B) the partnership shall include rep-  
11                   resentatives of—

12                           (i) a State workforce development  
13                           board or a local workforce development  
14                           board; and

15                           (ii) an economic development organi-  
16                           zation.

17           (6) LOCAL AND STATE WORKFORCE DEVELOP-  
18           MENT BOARDS.—The terms “local workforce devel-  
19           opment board” and “State workforce development  
20           board” have the meanings given the terms in section  
21           3 of the Workforce Innovation and Opportunity Act  
22           (29 U.S.C. 3102).

23           (7) SECRETARY.—The term “Secretary” means  
24           the Secretary of Labor.

1           (8) TRAINING SERVICES.—The term “training  
2 services” means training services described in sec-  
3 tion 134(e)(3)(D) of that Act (29 U.S.C.  
4 3174(e)(3)(D)).

5 **SEC. 4. GAO STUDY ON BARRIERS TO AND OPPORTUNITIES**  
6 **FOR RETRAINING WORKERS.**

7 (a) STUDY.—

8           (1) IN GENERAL.—The Comptroller General of  
9 the United States shall conduct a study of the bar-  
10 riers to providing, and opportunities for improving,  
11 training for workers in industries that have, or are  
12 likely to have, high rates of job loss due to automa-  
13 tion.

14           (2) CONTENTS.—In conducting the study, the  
15 Comptroller General shall study—

16           (A) considerations impacting, and strate-  
17 gies to improve data collection with respect to,  
18 the workforce in industries with high rates of  
19 job loss or a high likelihood of automation in  
20 the United States, including considerations and  
21 data collection strategies concerning—

22           (i) industries and occupations most  
23 likely to be impacted by automation, in-  
24 cluding—

1 (I) the geographical location of  
2 those industries and occupations;

3 (II) the annual average wages of  
4 those occupations; and

5 (III) demographic data on the  
6 race, gender, and age of workers in  
7 those industries and occupations;

8 (ii) employer-based training practices  
9 in those industries and occupations;

10 (iii) the frequency with which employ-  
11 ers provide worker training to address  
12 skills needs and react to changes in the  
13 labor market; and

14 (iv) projected job losses;

15 (B) considerations impacting, and strate-  
16 gies to improve data collection with respect to,  
17 the workforce in in-demand industry sectors  
18 and occupations in the United States, such as  
19 advanced manufacturing, information tech-  
20 nology, and health care, including consider-  
21 ations and data collection strategies con-  
22 cerning—

23 (i) industry sectors and occupations  
24 that may emerge or become in-demand in-

1 industry sectors or occupations as a result of  
2 automation, including—

3 (I) the geographical location of  
4 those industry sectors and occupa-  
5 tions;

6 (II) the average annual wages of  
7 those occupations; and

8 (III) demographic data on the  
9 race, gender, and age of workers in  
10 those occupations;

11 (ii) the skills and education needed to  
12 fill the positions in those industries;

13 (iii) employer-based training practices  
14 in those industry sectors; and

15 (iv) projected job gains;

16 (C) barriers to, and opportunities for, re-  
17 training workers in industries that have a high  
18 likelihood of being impacted by automation;

19 (D) the impact of the geographical location  
20 of workers and their access to transportation on  
21 the ability of the workers to access job training  
22 and related higher-skilled positions;

23 (E) the impact of workers' access to other  
24 benefits and services, including child care, paid  
25 sick leave, paid family and medical leave, or a

1 retirement plan, on the ability of the workers to  
2 access job training and related higher-skilled  
3 positions; and

4 (F) how reduced Federal funding for job  
5 training programs has impacted the ability of  
6 State and local governments, employers, and  
7 communities to respond to changes in the labor  
8 market, including rapidly evolving technologies.

9 (b) REPORT.—On completion of the study required  
10 by subsection (a), the Comptroller General of the United  
11 States shall prepare and submit to the appropriate com-  
12 mittees of Congress a report concerning the results of the  
13 study.

14 **SEC. 5. GRANTS TO IMPROVE TRAINING FOR WORKERS IM-**  
15 **PACTED BY AUTOMATION.**

16 (a) GRANTS AUTHORIZED.—

17 (1) IN GENERAL.—From the amounts appro-  
18 priated under subsection (g), the Secretary of Labor  
19 shall award grants, on a competitive basis, to eligible  
20 partnerships to support demonstration and pilot  
21 projects relating to the training needs of workers  
22 who are, or are likely to become, dislocated workers  
23 as a result of automation.

24 (2) DURATION.—A grant awarded under this  
25 section shall be for a period not to exceed 3 years.

1 (b) APPLICATIONS.—

2 (1) IN GENERAL.—To be eligible to receive a  
3 grant under this section, an eligible partnership shall  
4 submit an application to the Secretary at such time,  
5 in such manner, and containing such information as  
6 the Secretary shall reasonably require.

7 (2) CONTENTS.—Each application submitted  
8 under paragraph (1) shall include a description of  
9 the demonstration or pilot project to be completed  
10 with the grant funds, which description shall in-  
11 clude—

12 (A) a description of the members of the el-  
13 igible partnership who will be involved in the  
14 demonstration or pilot program and the services  
15 each member will provide;

16 (B) a description of the training services  
17 that will be available to individuals participating  
18 in the demonstration or pilot project, which  
19 may include—

20 (i) a plan to train dislocated workers  
21 from industries likely to be impacted by  
22 automation and transition the workers into  
23 regionally in-demand industry sectors or  
24 occupations; and

1 (ii) a plan to partner with local busi-  
2 nesses to retrain, upskill, and re-deploy  
3 workers within an industry as an alter-  
4 native to layoffs;

5 (C) a plan to provide workers with tech-  
6 nology-based skills training, which may include  
7 training to provide skills related to coding, sys-  
8 tems engineering, or information technology se-  
9 curity, in addition to other skills; and

10 (D) a description of the goals that the eli-  
11 gible partnership intends to achieve to upskill  
12 workers and prepare them for in-demand indus-  
13 try sectors or occupations.

14 (c) PRIORITIES.—In awarding grants under this sec-  
15 tion, the Secretary shall give priority to—

16 (1) eligible partnerships that are located in an  
17 area with a high concentration of—

18 (A) industries with a higher likelihood of  
19 being impacted by automation; or

20 (B) industries included in in-demand in-  
21 dustry sectors, as determined under subpara-  
22 graphs (A)(i) and (B) of section 3(23) of the  
23 Workforce Innovation and Opportunity Act (29  
24 U.S.C. 3102(23));

25 (2) eligible partnerships—

1 (A) with a plan to provide incumbent  
2 worker training—

3 (i) to assist workers in obtaining the  
4 skills necessary to retain employment or  
5 avert layoffs; or

6 (ii) that allows a worker working for  
7 an employer to acquire new skills that  
8 allow the worker to obtain a higher-skilled  
9 or higher-paid position with such employer;  
10 and

11 (B) that partner with local employers that  
12 intend to backfill the pre-training positions of  
13 the incumbent workers by hiring new workers  
14 to fill those positions;

15 (3) eligible partnerships that will provide work-  
16 ers with a transportation stipend, paid sick leave,  
17 paid family and medical leave, access to child care  
18 services, or other employment benefits; or

19 (4) eligible partnerships with a plan to develop  
20 a shared training curriculum that can be used across  
21 local and regional networks of employers and train-  
22 ing providers.

23 (d) USE OF FUNDS.—An eligible partnership that re-  
24 ceives a grant under this section shall use the grant funds  
25 for 1 or more of the following:

1           (1) Providing training services under the dem-  
2           onstration or pilot project, which may include train-  
3           ing services that prepare workers for in-demand in-  
4           dustry sectors or occupations.

5           (2) Providing assistance for employers in devel-  
6           oping a staff position for an individual who will be  
7           responsible for supporting training services provided  
8           under the grant.

9           (3) Purchasing equipment or technology nec-  
10          essary for training services provided under para-  
11          graph (1).

12          (4) Providing job search and other transitional  
13          assistance to workers in industries with high rates of  
14          job loss.

15          (5) Providing a training stipend to workers for  
16          training services.

17          (6) Providing integrated education and train-  
18          ing.

19          (e) REPORT.—Not later than 1 year after an eligible  
20          partnership’s completion of a demonstration or pilot  
21          project supported under this section, the eligible partner-  
22          ship shall prepare and submit to the Secretary a report  
23          regarding—

24                 (1) the number of workers who received train-  
25                 ing services through the demonstration or pilot

1 project, disaggregated by type of training service  
2 and the age, gender, and race of the workers;

3 (2) the number of such workers who success-  
4 fully transitioned into a new position following com-  
5 pletion of the training services;

6 (3) the number of individuals who successfully  
7 transitioned into an in-demand industry sector or oc-  
8 cupation following completion of the training serv-  
9 ices;

10 (4) annual earnings data for individuals who  
11 have completed training services through the dem-  
12 onstration or pilot project;

13 (5) the percentage of individuals described in  
14 paragraph (4) who are in education or training ac-  
15 tivities, or in employment, during the second quarter  
16 after exit from the training services;

17 (6) the percentage of individuals described in  
18 paragraph (4) who are in education or training ac-  
19 tivities, or in employment, during the fourth quarter  
20 after exit from the training services; and

21 (7) any practices used by the partnership that  
22 should be considered best practices with respect to  
23 training workers in industries that have, or are ex-  
24 pected to have, high rates of job loss as a result of  
25 automation.

1 (f) GENERAL REQUIREMENTS.—An eligible partner-  
2 ship that receives a grant under this section shall use the  
3 grant funds in a manner that is consistent with the labor  
4 standards and protections described in section 181 of the  
5 Workforce Innovation and Opportunity Act (29 U.S.C.  
6 3241) and nondiscrimination provisions described in sec-  
7 tion 188 of such Act (29 U.S.C. 3248).

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated to carry out this section  
10 such sums as may be necessary for the first 5 full fiscal  
11 years after the date of enactment of this Act.

12 **SEC. 6. EXPANSION OF WORKER TRAINING SERVICES.**

13 (a) ADULT AND DISLOCATED WORKER EMPLOY-  
14 MENT AND TRAINING.—Section 134(d)(1)(A) of the  
15 Workforce Innovation and Opportunity Act (29 U.S.C.  
16 3174(d)(1)(A)) is amended—

17 (1) in clause (xi), by striking “and” at the end;

18 (2) in clause (xii), by striking the period and in-  
19 serting “; and”; and

20 (3) by adding at the end the following:

21 “(xiii) training programs for individ-  
22 uals who are, or are likely to become, dis-  
23 located workers as a result of automation,  
24 including activities that prepare the indi-

1                   viduals for occupations in the technology  
2                   sector.”.

3           (b) NATIONAL DISLOCATED WORKER GRANTS.—Sec-  
4 tion 170 of the Workforce Innovation and Opportunity Act  
5 (29 U.S.C. 3225) is amended—

6           (1) in subsection (b)(1)(A), by inserting “ad-  
7 vances in automation technology,” before “plant clo-  
8 sures,”; and

9           (2) by adding at the end the following:

10          “(e) AUTHORIZATION OF APPROPRIATIONS.—In ad-  
11 dition to any funds reserved under section 132(a)(2)(A)  
12 to carry out this section, there are authorized to be appro-  
13 priated to carry out this section \$40,000,000 for each of  
14 fiscal years 2018 through 2020.”.

○