

116TH CONGRESS
2D SESSION

H. R. 8391

To support pre-apprenticeships and apprenticeships within the National Apprenticeship Act, specifically with regard to the justice-impacted population.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2020

Mr. TRONE introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To support pre-apprenticeships and apprenticeships within the National Apprenticeship Act, specifically with regard to the justice-impacted population.

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 “Strengthening Appren-
5 ticeships for Justice-Impacted Communities Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to support pre-apprentice-
8 ships and apprenticeships within the National Apprentice-
9 ship Act, specifically with regard to the justice-impacted
10 population.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) APPRENTICE.—The term “apprentice”
4 means a worker who—

5 (A) is not younger than age 16, or (where
6 a higher minimum age standard is specified by
7 law) not younger than that age; and

8 (B) is employed through an apprenticeship
9 program that meets the required standards for
10 an apprenticeship program.

11 (2) APPRENTICEABLE OCCUPATION.—The term
12 “apprenticeable occupation” means an occupation
13 which is specified by industry and which—

14 (A) involves skills that are customarily
15 learned in a practical way through a structured,
16 systematic program of on-the-job supervised
17 learning;

18 (B) is clearly identified and commonly rec-
19 ognized throughout an industry;

20 (C) involves the progressive attainment of
21 manual, mechanical, or technical skills and
22 knowledge which, in accordance with the indus-
23 try standard for the occupation, would require
24 the completion of not less than 2,000 hours of
25 on-the-job learning to attain, unless an alter-
26 native requirement is put forth by the employer

1 and sponsor that reflects industry standards
2 and is accepted by the Secretary; and

3 (D) requires related instruction to supple-
4 ment the on-the-job learning.

5 (3) APPRENTICESHIP PROGRAM.—The term
6 “apprenticeship program” includes a program
7 that—

8 (A) is registered under the Act of August
9 16, 1937 (commonly known as the “National
10 Apprenticeship Act”; 50 Stat. 664, chapter
11 663; 29 U.S.C. 50 et seq.); and

12 (B) culminates in a certificate of comple-
13 tion from the registration agency and a recog-
14 nized postsecondary credential.

15 (4) ELIGIBLE APPLICANT.—The term “eligible
16 applicant” means a consortium of entities that shall
17 include 1 or more representatives from each of the
18 following:

19 (A) A local educational agency, area career
20 and technical education school, educational
21 service agency, or postsecondary educational in-
22 stitution.

23 (B) In a State with a State registration
24 agency, that registration agency.

1 (C) An industry or business, consisting of
2 an employer, a group of employers, a trade as-
3 sociation, a professional association, or an enti-
4 ty that sponsors an apprenticeship program.

5 (D) A State workforce development board
6 or local workforce development board.

7 (E) An Indian Tribe, Tribal organization,
8 or Tribal educational agency.

9 (F) Labor organization that has responsi-
10 bility for the administration of an apprentice-
11 ship program associated with the industry or
12 sector or occupation related to the covered ap-
13 prenticeship, including those sponsored by a
14 joint labor-management organization.

15 (G) A qualified intermediary.

16 (H) Community-based organizations with
17 significant expertise in supporting such pro-
18 grams.

19 (I) In-demand industry sector employers.

20 (5) JUSTICE-IMPACTED INDIVIDUAL.—The term
21 “justice-impacted individual” means an individual
22 who has been arrested or convicted of a crime, in-
23 cluding an individual who is currently or formerly
24 incarcerated in a Federal or State prison, jail, or ju-
25 venile facility.

1 (6) NEW; EXISTING.—The term “new” or “ex-
2 isting”, used with respect to a program, means a
3 program that was new or existing, respectively, as of
4 the day the eligible applicant involved submitted the
5 application for the grant involved.

6 (7) PRE-APPRENTICE.—The term “pre-appren-
7 tice” means a participant in a pre-apprenticeship
8 program.

9 (8) PRE-APPRENTICESHIP PROGRAM.—

10 (A) IN GENERAL.—The term “pre-appren-
11 ticeship program” means a training model or
12 program, or training according to a set of strat-
13 egies, that—

14 (i) is designed to assist individuals
15 who do not meet the minimum qualifica-
16 tions for selection into an apprenticeship
17 program, established in a sponsor’s ap-
18 prenticeship standards, to meet the quali-
19 fications;

20 (ii) is carried out by an entity that
21 maintains a documented partnership with
22 at least one sponsor of an apprenticeship
23 program;

24 (iii) is a form of structured workplace
25 education and training in which at least 2

1 of the entities described in subparagraph
2 (B) collaborate with an education provider
3 to provide formal instruction that will in-
4 troduce participants to the skills, com-
5 petencies, and materials used in one or
6 more apprenticeable occupations;

7 (iv) is designed to prepare individuals
8 to enter and succeed in an apprenticeship
9 program;

10 (v) is carried out in a manner that in-
11 cludes proper observation of supervision
12 and safety protocols, including paid, on-
13 the-job learning under the supervision of
14 skilled employee mentors;

15 (vi) is carried out in a manner that
16 does not displace a paid employee; and

17 (vii) includes—

18 (I) training and a curriculum
19 that—

20 (aa) are based on and
21 aligned with national, State, or
22 local industry standards, with the
23 quality of the training leading to
24 such a standard reviewed by a re-
25 cipient of Federal funds;

1 (bb) are reviewed and ap-
2 proved annually by the sponsors
3 of apprenticeships within the doc-
4 umented partnership;

5 (cc) will prepare individuals,
6 with the skills and competencies
7 needed to enter one or more ap-
8 prenticeship programs;

9 (dd) are aligned with career
10 pathways;

11 (ee) include employability
12 skills training, such as training
13 through career and industry
14 awareness workshops, training
15 through job readiness courses,
16 training for English Language
17 Learners, adult basic education,
18 or financial literacy, or math tu-
19 toring, as appropriate;

20 (ff) culminate in a recog-
21 nized postsecondary credential,
22 with the quality of the training
23 leading to that credential re-
24 viewed by a recipient of Federal
25 funds; and

1 (gg) accurately simulates the
2 industry and occupational condi-
3 tions of the apprenticeship pro-
4 gram;

5 (II) strong recruitment strategies
6 focused on outreach to populations
7 underrepresented at the State and
8 local levels in apprenticeship pro-
9 grams, including individuals with bar-
10 riers to employment such as justice-
11 connected individuals;

12 (III) exposure of participants in
13 such underrepresented populations,
14 including justice-connected individ-
15 uals, to apprenticeship programs and
16 provision of direct assistance to par-
17 ticipants in such populations in apply-
18 ing to those programs;

19 (IV) access to appropriate sup-
20 portive services, as defined in section
21 3 of the Workforce Innovation and
22 Opportunity Act (29 U.S.C. 3102), fi-
23 nancial planning, mentoring, and pro-
24 vision of first-day-of-work necessities;

1 (V) efforts to collaboratively pro-
2 mote the use of apprenticeship pro-
3 grams as a preferred means for em-
4 ployers to develop a skilled workforce
5 and to create career opportunities for
6 individuals;

7 (VI) facilitated entry or articula-
8 tion agreements that enable individ-
9 uals who successfully complete the
10 program described in this para-
11 graph—

12 (aa) to enter directly into an
13 apprenticeship program; or

14 (bb) to earn advanced place-
15 ment or credit at a postsecondary
16 educational institution for skills
17 and competencies acquired dur-
18 ing the program described in this
19 paragraph; and

20 (VII) a formal agreement with a
21 sponsor of the apprenticeship program
22 that would enable participants who
23 successfully complete the program de-
24 scribed in this paragraph to enter di-
25 rectly into the apprenticeship program

1 (if a place in the program is available
2 and other necessary requirements for
3 acceptance are satisfied), and an
4 agreement enabling participants to
5 earn advanced placement or credit at
6 a postsecondary educational institu-
7 tion for skills and competencies ac-
8 quired during the program described
9 in this paragraph, including basic aca-
10 demic and technical skills and com-
11 petencies aligned with the
12 apprenticeable occupation.

13 (B) ENTITIES.—The entities described in
14 this subparagraph are:

- 15 (i) An employer.
- 16 (ii) An industry or sector partnership.
- 17 (iii) An industry association.
- 18 (iv) A labor organization.
- 19 (v) A community-based organization.

20 (9) REGISTRATION AGENCY.—The term “reg-
21 istration agency” means the State Office of Appren-
22 ticeship or State apprenticeship agency in a State
23 that is responsible for—

- 24 (A) approving or denying applications from
25 sponsors for registration of programs under the

1 national apprenticeship system in the State or
2 area covered by the registration agency; and

3 (B) carrying out the responsibilities of sup-
4 porting the youth apprenticeship, pre-appren-
5 ticeship, or apprenticeship programs registered
6 by the registration agency.

7 (10) SECRETARY.—The term “Secretary”
8 means the Secretary of Labor, acting through the
9 Administrator.

10 (11) STATE APPRENTICESHIP AGENCY.—The
11 term “State apprenticeship agency” means the State
12 apprenticeship agency, acting in coordination with
13 the State agency with responsibility for workforce in-
14 vestment activities under chapters 2 and 3 of sub-
15 title B of title I of the Workforce Innovation and
16 Opportunity Act (29 U.S.C. 3121 et seq., 3131 et
17 seq.).

18 **SEC. 4. GRANT PROGRAM.**

19 (a) IN GENERAL.—The Secretary of Labor, in con-
20 sultation with the Attorney General, the Secretary of Edu-
21 cation, and the Secretary of Commerce may award grants
22 to eligible applicants to—

23 (1) implement novel methods to improve pre-ap-
24 prenticeship programs or apprenticeship programs

1 available to incarcerated individuals in prisons, jails,
2 and juvenile facilities;

3 (2) improve existing pre-apprenticeship pro-
4 grams and apprenticeship programs available to in-
5 carcerated individuals in prisons, jails, and juvenile
6 facilities;

7 (3) pilot novel approaches to provide appren-
8 ticeship training for justice-connected individuals
9 that matches labor force needs;

10 (4) encourage employer participation in pro-
11 grams under the national apprenticeship system that
12 target individuals incarcerated or recently incarcer-
13 ated, which may include—

14 (A) providing financial assistance to em-
15 ployers to support costs related to the program,
16 such as training incumbent workers as mentors
17 or employees supervising the on-the-job learn-
18 ing; or

19 (B) supporting the cost of related instruc-
20 tion or wages for program participants during
21 related instruction;

22 (5) provide technical assistance to pre-appren-
23 tices and apprentices to help navigate and obtain
24 supportive services, including childcare, transpor-
25 tation, mental health and substance use disorder

1 treatment, assistance in obtaining health insurance
2 coverage, and assistance in accessing the supple-
3 mental nutrition assistance program established
4 under the Food and Nutrition Act of 2008 (7 U.S.C.
5 2011 et seq.), the special supplemental nutrition
6 program for women, infants, and children estab-
7 lished by section 17 of the Child Nutrition Act of
8 1966 (42 U.S.C. 1786), and housing; and

9 (6) build and strengthen partnerships among
10 community-based organizations, public entities, and
11 registered apprenticeships to smooth transition be-
12 tween pre-apprenticeship programs and registered
13 apprenticeship programs, and to smooth transition
14 during and post-release.

15 (b) DURATION.—A grant awarded under this sec-
16 tion—

17 (1) shall be for a period of not more than 3
18 years; and

19 (2) may be extended for not more than 1 addi-
20 tional 2-year period, if the grant recipient dem-
21 onstrates to the Secretary that the recipient—

22 (A) has effectively implemented or im-
23 proved apprenticeship programs; and

24 (B) has improved outcomes for, as applica-
25 ble, apprentices and pre-apprentices, as dem-

1 onstrated through levels on indicators defined
2 in performance indicators under section
3 116(b)(2)(A) of the Workforce Innovation and
4 Opportunity Act (29 U.S.C. 3141(b)(2)(A)).

5 (c) APPLICATIONS.—To be eligible to receive a grant
6 under this section for a project involving an apprenticeship
7 program, an eligible applicant shall submit an application
8 to the Secretary, containing such information as the Sec-
9 retary may require, including, at a minimum—

10 (1) a designation of the member of the eligible
11 applicant that will be the lead applicant, and the
12 member of such consortium that will be the fiscal
13 agent, for the eligible applicant;

14 (2) a description of each member of the eligible
15 applicant and the role of each member in carrying
16 out the project, which shall, at a minimum, describe
17 the eligible applicant's—

18 (A) plan to assist the program participants
19 in obtaining the documentation and work au-
20 thorization necessary to participate in such pro-
21 gram;

22 (B) partnerships with organizations that
23 will assist program participants in accessing ac-
24 tivities to improve financial literacy and sup-
25 portive services;

1 (C) plan for how the assessments used to
2 support the placement of potential program
3 participants into a program accurately reflect
4 the participants' skills and competencies;

5 (D) plan to provide information about re-
6 sources to program participants to address
7 mental health or substance abuse issues;

8 (E) partnerships with organizations that
9 support—

10 (i) the transition from incarceration to
11 re-entry, such as assistance with housing,
12 transportation, and legal services; and

13 (ii) successful completion of an ap-
14 prenticeship or pre-apprenticeship pro-
15 gram;

16 (F) wages and benefits offered to program
17 participants that are commensurate with wages
18 for similar work in the State or local area, as
19 allowable;

20 (G) alignment and necessary supports to
21 comply with and receive the benefits of the Fed-
22 eral Bonding Program and the Prison Industry
23 Enhancement Certification Program for em-
24 ployers participating in apprenticeship pro-
25 grams; and

1 (H) ability to support, including by pro-
2 viding technical assistance, small- and medium-
3 sized businesses in the creation of and execu-
4 tion of covered apprenticeship programs;

5 (3) a description of the budget for the project,
6 the source, amount, and use of the matching funds
7 required under subsection (d), and how the eligible
8 applicant will continue the project after the grant
9 period ends, if applicable;

10 (4) a description of—

11 (A) how the eligible applicant will use the
12 grant funds, including a description of the ac-
13 tivities that the eligible applicant will carry out;

14 (B) how the project or the program in-
15 volved in the project will be aligned with the
16 labor market needs of in-demand industry sec-
17 tors or occupations; and

18 (C) how such funds will directly benefit ap-
19 prentices or pre-apprentices, as applicable,
20 served by the eligible applicant;

21 (5) a description of how the project carried out
22 under the grant will be coordinated with the activi-
23 ties carried out as required for the covered appren-
24 ticeship program involved;

1 (6) a description of how the eligible applicant
2 for the project will comply with requirements for an
3 evaluation and report;

4 (7) a description of how the activities assisted
5 under the grant will be coordinated with activities
6 carried out under the Carl D. Perkins Career and
7 Technical Education Act of 2006 (20 U.S.C. 2301
8 et seq.), the Higher Education Act of 1965 (20
9 U.S.C. 1001 et seq.), or the Workforce Innovation
10 and Opportunity Act (29 U.S.C. 3101 et seq.), as
11 applicable;

12 (8) a description of how the eligible applicant
13 will equitably recruit and retain participants from
14 nontraditional apprenticeship populations, including
15 populations that include individuals with barriers to
16 employment such as justice-impacted communities
17 for covered apprenticeship programs; and

18 (9) an assurance that the eligible applicant
19 will—

20 (A) provide information to the Secretary,
21 as requested, for such evaluations as the Sec-
22 retary may carry out; and

23 (B) make program performance outcome
24 data available (in accordance with applicable
25 data privacy laws, including section 444 of the

1 General Education Provisions Act (20 U.S.C.
2 1232g)) to independent evaluators for valida-
3 tion and to enable the evaluators to prepare the
4 evaluations and reports.

5 (d) MATCHING REQUIREMENT.—In order to receive
6 a grant from the Secretary under this section, each eligible
7 entity shall provide a non-Federal contribution, including
8 cash and in-kind donations, in an amount not less than
9 25 percent of the total funds awarded.

10 (e) LIMITATION FOR ELIGIBLE ENTITIES.—An eligi-
11 ble entity may not use more than 10 percent of the funds
12 received under a grant for administrative costs.

13 (f) ADMINISTRATIVE EXPENSES.—The Secretary
14 may use not more than 10 percent of the amount appro-
15 priated for this section for each fiscal year for administra-
16 tive expenses to carry out this Act, including the expenses
17 of providing the technical assistance and oversight activi-
18 ties under subsection (g).

19 (g) TECHNICAL ASSISTANCE.—The Secretary shall
20 provide technical assistance and oversight to assist the eli-
21 gible entities in applying for and administering grants
22 awarded under this Act.

23 (h) EVALUATION AND REPORT.—Each recipient of a
24 grant under this section shall—

1 (1) annually provide for an independent evalua-
2 tion of the project carried out under such grant;

3 (2) provide for the independent evaluator to
4 prepare an annual report, based on the evaluation,
5 that includes—

6 (A) a description of how the funds received
7 through the grant were used and how the uses
8 of funds aligned with the description in the ap-
9 plication; and

10 (B) information on—

11 (i) for a project involving an existing
12 covered apprenticeship program, the per-
13 formance of the grant recipient with re-
14 spect to, at a minimum, the indicators of
15 performance under section 116(b)(2)(A)(i)
16 under the Workforce Innovation and Op-
17 portunity Act, with the performance data
18 disaggregated by—

19 (I) the program type (apprentice-
20 ship or pre-apprenticeship program)
21 assisted under the grant; and

22 (II) race, ethnicity, sex, age, and
23 membership in a population specified
24 in section 3(24) of that Act (29
25 U.S.C. 3102(24)); and

1 (ii) for a grant involving a new ap-
2 prenticeship program, the performance of
3 the grant recipient—

4 (I) for reports submitted during
5 the first 36 months after the project
6 involved begins—

7 (aa) that consists of a quan-
8 titative and qualitative analysis
9 of program development, includ-
10 ing participant engagement and
11 recruitment of partners, employ-
12 ers, and potential covered ap-
13 prentices; and

14 (bb) on the indicators of
15 performance described in sub-
16 clause (I), as such performance
17 information becomes available;
18 and

19 (II) for reports submitted later
20 than that first 36 months, the per-
21 formance of the grant recipient with
22 respect to, at a minimum, the indica-
23 tors described in subclause (I), with
24 the performance data disaggregated
25 as described in subclause (I); and

1 (3) submit the report—

2 (A) for a grant that relates to an appren-
3 ticeship program, to the registration agency
4 through which the program is registered; and

5 (B) for a grant that relates to a pre-ap-
6 prenticeship program, to the State apprentice-
7 ship agency.

8 **SEC. 5. USE OF FUNDS.**

9 An eligible entity receiving a grant under this Act—

10 (1) shall use at least 5 percent of the grant
11 funds to provide direct financial assistance to ap-
12 prentices, pre-apprentices, or youth apprentices
13 through emergency grants to support their financial
14 needs to enter, remain enrolled in, and complete
15 such program, such as support for the related costs
16 of supplies and equipment, courses, transportation,
17 child care, and housing; and

18 (2) may use funds for any of the following ac-
19 tivities:

20 (A) Any of the activities under section
21 4(a).

22 (B) To carry out grant requirements, in-
23 cluding program evaluation and reporting re-
24 quirements.

1 **SEC. 6. RESEARCH AND INFORMATION SHARING.**

2 (a) ESTABLISHMENT.—There is established a task
3 force, to be known as the Interagency Task Force on
4 Strengthening Employment Opportunities and Outcomes
5 for Justice-Impacted Communities that shall identify,
6 evaluate, and make recommendations regarding—

7 (1) best practices relating to apprenticeship
8 training for incarcerated individuals in prisons, jails,
9 and juvenile facilities; and

10 (2) ways in which Federal agencies can better
11 coordinate to support justice-impacted individuals
12 with success and completion of pre-apprenticeships
13 and apprenticeship programs.

14 (b) MEMBERSHIP.—The Task Force shall be com-
15 posed of the heads of the following Federal departments
16 and agencies, or their designees:

17 (1) Justice-impacted individuals.

18 (2) The Department of Labor.

19 (3) The Department of Justice.

20 (4) The Department of Education.

21 (5) The Department of Housing and Urban De-
22 velopment.

23 (6) The Bureau of Prisons.

24 (7) The Small Business Administration.

25 (8) The Department of Education.

1 (9) The Department of Health and Human
2 Services.

3 (10) The Department of Commerce.

4 (11) The Department of Transportation.

5 (12) The Department of Veterans Affairs.

6 (13) The U.S. Equal Employment Opportunity
7 Commission.

8 (14) The White House Office of Faith-Based
9 and Neighborhood Partnerships.

10 (15) The Office of Personnel Management.

11 (16) The Office of Management and Budget.

12 (17) A Governor.

13 (18) A representative of labor organizations
14 who have responsibility for the administration of an
15 apprenticeship program, including those sponsored
16 by a joint labor-management organization and from
17 nontraditional apprenticeship industries or occupa-
18 tions.

19 (19) The U.S. Chamber of Commerce.

20 (20) The Corporation for National and Commu-
21 nity Services.

22 (c) REPORT.—Not later than 1 year after the date
23 of enactment of this Act, the Task Force shall produce
24 a report that identifies—

1 (1) evidence-based research, policies, strategies,
2 and programming that support successful completion
3 of apprenticeships and pre-apprenticeships by justice
4 impacted individuals; and

5 (2) barriers to successful completion of appren-
6 ticeships and pre-apprenticeships by justice impacted
7 individuals.

8 **SEC. 7. OFFICE OF CORRECTIONAL APPRENTICESHIPS.**

9 Not later than 1 year after the date of enactment
10 of this Act, the Secretary of Labor, in consultation with
11 the Attorney General and Director of Bureau of Prisons,
12 shall establish an Office of Correctional Apprenticeships
13 to—

14 (1) ensure that all Federal correctional institu-
15 tions provide quality pre-apprenticeships and ap-
16 prenticeship programs for incarcerated individuals
17 that pay fair and graduated wages;

18 (2) be a nationwide repository for research,
19 policies, and best practices in correctional education
20 and training; and

21 (3) offer training and technical assistance for
22 State prison systems and employers seeking to oper-
23 ate or improve—

24 (A) corrections-based pre-apprenticeship or
25 apprenticeship programs; or

1 (B) pre-apprenticeship or apprenticeship
2 programs that support justice-connected indi-
3 viduals.

○