

118TH CONGRESS
2D SESSION

S. 5246

To amend the Workforce Innovation and Opportunity Act to expand the capacity of junior or community colleges and area career and technical education schools to conduct training services, education, and outreach activities for careers in the residential construction industry.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Ms. ROSEN (for herself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Workforce Innovation and Opportunity Act to expand the capacity of junior or community colleges and area career and technical education schools to conduct training services, education, and outreach activities for careers in the residential construction industry.

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 “Creating Opportunities
5 for New Skills Training at Rural and Underserved Col-
6 leges and Trade Schools Act of 2024” and “CON-
7 STRUCTS Act of 2024”.

1 **SEC. 2. EDUCATION AND TRAINING FOR CAREERS IN RESI-**
 2 **DENTIAL CONSTRUCTION.**

3 (a) IN GENERAL.—Subtitle D of title I of the Work-
 4 force Innovation and Opportunity Act (29 U.S.C. 3221 et
 5 seq.) is amended—

6 (1) by redesignating section 172 as section 173;

7 and

8 (2) by inserting after section 171 the following:

9 **“SEC. 172. EDUCATION AND TRAINING FOR CAREERS IN**
 10 **RESIDENTIAL CONSTRUCTION.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) INCUMBENT WORKER.—The term ‘incum-
 13 bent worker’ has the meaning given the term in sec-
 14 tion 680.780 of title 20, Code of Federal Regula-
 15 tions, or a successor regulation.

16 “(2) JUNIOR OR COMMUNITY COLLEGE.—The
 17 term ‘junior or community college’ has the meaning
 18 given the term in section 312 of the Higher Edu-
 19 cation Act of 1965 (20 U.S.C. 1058).

20 “(3) RURAL AREA.—The term ‘rural area’
 21 means any—

22 “(A) nonmetropolitan area; or

23 “(B) rural area, as defined under section
 24 520 of the Housing Act of 1949 (42 U.S.C.
 25 1490).

1 “(4) UNDERSERVED POPULATION.—The term
 2 ‘underserved population’ means a group of individ-
 3 uals with a common demographic trait (such as indi-
 4 viduals from the same gender, race, or ethnicity),
 5 the members of which—

6 “(A) based on the most recent satisfactory
 7 demographic and employment data from the
 8 Bureau of the Census, comprise a percentage of
 9 individuals employed in the construction sector
 10 that is lower than the percentage of the total
 11 population of the United States comprised by
 12 such members;

13 “(B) are low-income individuals;

14 “(C) are individuals with barriers to em-
 15 ployment; or

16 “(D) are veterans.

17 “(b) ESTABLISHMENT OF PROGRAM.—

18 “(1) IN GENERAL.—The Secretary of Labor, in
 19 consultation with the Secretary of Education, shall
 20 establish a program, through which the Secretary of
 21 Labor shall award, on a competitive basis, grants to
 22 eligible entities to expand their capacity to provide
 23 training services, education, and outreach activities
 24 for careers in the residential construction industry.

1 “(2) GRANT PERIOD.—A grant awarded under
 2 this section shall be for a period of not more than
 3 4 years.

4 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
 5 a grant under this section, an entity shall be—

6 “(1) a junior or community college;

7 “(2) an area career and technical education
 8 school; or

9 “(3) a provider of training services, as de-
 10 scribed in section 122(a)(2).

11 “(d) APPLICATIONS.—An eligible entity that desires
 12 to receive a grant under this section shall submit an appli-
 13 cation to the Secretary of Labor at such time, in such
 14 manner, and containing such information as the Secretary
 15 may require, including the following information:

16 “(1) A description of the new or expanded
 17 training services, education, or outreach activities
 18 supported by the grant, including a description of
 19 how the new training services, education, or out-
 20 reach activities will align with existing programming
 21 related to careers in the residential construction in-
 22 dustry at the eligible entity, and the relevant faculty
 23 or technical instructors employed by the eligible enti-
 24 ty on the date of the submission of the application
 25 or who may be employed by the eligible entity to

1 carry out the training services, education, or out-
2 reach activities supported by the grant.

3 “(2) A description of the populations that will
4 be served through the training services, education,
5 or outreach activities supported by the grant, includ-
6 ing whether the participants in such training serv-
7 ices, education, or outreach activities are—

8 “(A) incumbent workers;

9 “(B) individuals in rural areas;

10 “(C) in-school youth; or

11 “(D) part of an underserved population.

12 “(3) A description of the partnerships the eligi-
13 ble entity will facilitate through the grant, including
14 the process by which the eligible entity will ensure
15 that a partner provides fair wages and benefits that
16 are commensurate with local pay and benefit pack-
17 ages, and a plan for sustaining activities and part-
18 nerships supported by the grant after the completion
19 of the grant period.

20 “(4) A description of the anticipated outcomes
21 of the training services, education, or outreach ac-
22 tivities supported by the grant, including, at a min-
23 imum, the recognized postsecondary credential, post-
24 secondary credit, or degree to be earned by partici-
25 pants, and a timetable showing how the eligible enti-

1 ty will meet the primary indicators of performance
2 described in section 116(b)(2)(A).

3 “(5) A description of the intended impact of the
4 training services, education, or outreach activities on
5 the local housing market, including a description of
6 how the new training services, education, or out-
7 reach activities will increase the supply of affordable
8 housing.

9 “(6) Such other information as the Secretary
10 may require.

11 “(e) PRIORITY.—In awarding grants under this sec-
12 tion, the Secretary of Labor shall give priority to eligible
13 entities that serve rural areas or underserved populations.

14 “(f) USE OF FUNDS.—

15 “(1) REQUIRED USES.—An eligible entity that
16 receives a grant under this section shall use the
17 grant funds—

18 “(A) to create or expand an evidence-based
19 education or training program to provide skills
20 needed in the residential construction industry,
21 including skills related to—

22 “(i) carpentry;

23 “(ii) framing;

24 “(iii) masonry;

25 “(iv) welding;

1 “(v) plumbing;
2 “(vi) electrical work;
3 “(vii) construction management;
4 “(viii) architecture;
5 “(ix) HVAC;
6 “(x) land surveying and geomatics
7 “(xi) construction mathematics; and
8 “(xii) such other trades as identified
9 by the Department of Labor;
10 “(B) to create or expand an education or
11 training program focused on increasing the
12 skills of incumbent workers who are residential
13 construction workers;
14 “(C) to create a partnership with a local
15 residential construction business or developer,
16 either alone or in conjunction with a nonprofit
17 organization, labor organization, entity in the
18 State or local workforce development system,
19 sponsor of a pre-apprenticeship or apprentice-
20 ship program, YouthBuild program, or another
21 community partner, with a focus on engaging
22 with organizations that recruit employees or
23 program participants from underserved popu-
24 lations; and

“(D) to facilitate outreach to secondary school and elementary school students about the residential construction industry and education and training programs available under this section, which may include developing dual or concurrent enrollment programs (as defined under section 8101 of the Elementary and Secondary Education Act of 1965) for secondary students to participate in such education and training programs or integrating such programs in a relevant career and technical education program administered by an elementary school or secondary school.

“(2) PERMISSIVE USES.—An eligible entity that receives a grant under this section may use the grant funds—

“(A) to hire technical instructors or other faculty with demonstrated experience and expertise in residential construction to lead education or training programs related to skills and recognized postsecondary credentials needed for a career in the residential construction industry;

“(B) to operate an education and training clinic in a rural area or area not otherwise

1 served by an entity described in subsection (c),
 2 to the extent necessary and practicable;

3 “(C) to develop promotion materials for
 4 the purpose of increasing awareness of the
 5 training services, education, or outreach activi-
 6 ties; or

7 “(D) to provide supportive services
 8 through merit-based and needs-based scholar-
 9 ships, to promote retention in, and completion
 10 of—

11 “(i) an education or training program
 12 supported under this section; or

13 “(ii) tests or coursework related to
 14 certification.

15 “(g) ASSISTANCE; FLEXIBLE SCHEDULES.—An eligi-
 16 ble entity that receives a grant under this section shall—

17 “(1) use flexible schedules in carrying out the
 18 education or training program, including night class-
 19 es, part-time schedules, and online curricula, to ac-
 20 commodate individuals who work during the day or
 21 live in rural areas; and

22 “(2) provide an individual, upon completion of
 23 the education or training program, supportive serv-
 24 ices for job search and placement to ensure the suc-

cess of such individuals in achieving the education and career goals.

“(h) COMPLIANCE WITH APPLICABLE LAWS.—

“(1) IN GENERAL.—Each recipient of funds under this section, and any entity that enters into a partnership with such recipient for the purpose of this Act, shall attest to the Secretary of Labor that the recipient or entity—

“(A) is in compliance with each Federal, State, and local labor law;

“(B) will remain in compliance with each Federal, State, and local labor law; and

“(C) is not subject to a pending action or case relating to a violation of any law enforced by the Department of Labor, Federal Labor Relations Authority, Equal Employment Opportunity Commission, or National Labor Relations Board.

“(2) FEDERAL, STATE, AND LOCAL LABOR LAW.—In this subsection, the term ‘Federal, State, and local labor law’ means any Federal, State, or local labor law that would be applicable to the recipient or entity described in paragraph (1), as determined by the Secretary of Labor.

“(i) PERFORMANCE ACCOUNTABILITY.—

1 “(1) IN GENERAL.—An eligible entity that re-
2 ceives a grant under this section shall, not later than
3 18 months after receiving such grant and annually
4 thereafter for the duration of the grant period, sub-
5 mit to the Secretary of Labor a report containing
6 the eligible entity’s outcomes with respect to the pri-
7 mary indicators of performance described in section
8 116(b)(2)(A).

9 “(2) REPORT TO CONGRESS.—Not later than 6
10 months after receiving initial reports from each eligi-
11 ble entity receiving a grant under this section, the
12 Secretary shall prepare and submit to the Com-
13 mittee on Health, Education, Labor, and Pensions
14 of the Senate and the Committee on Education and
15 the Workforce of the House of Representatives a re-
16 port containing, at a minimum, the information de-
17 scribed in paragraph (1) for each such eligible enti-
18 ty.

19 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated \$20,000,000 to carry
21 out this section for each of fiscal years 2025 through
22 2029.”.

23 (b) TABLE OF CONTENTS.—The table of contents in
24 section 1(b) of the Workforce Innovation and Opportunity
25 Act is amended—

- 1 (1) by striking the item relating to section 172;
2 and
3 (2) by inserting after the item relating to sec-
4 tion 171 the following:

“Sec. 172. Education and training for careers in residential construction.
“Sec. 173. Authorization of appropriations.”.

