

application, and implementation of new and advanced technologies in the workplace; and (C) promote the use and integration of new and advanced technologies in the workplace that enhance workers' skills.

(5) In working with the private sector to promote the technological leadership and economic growth of the United States, the Federal Government has a responsibility to ensure that Federal technology programs help the United States to remain competitive and to maintain and improve living standards and to create and retain secure jobs in economically stable communities.

(Pub. L. 103-382, title V, §542, Oct. 20, 1994, 108 Stat. 4051.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Section 541 of Pub. L. 103-382 provided that: "This part [part D (§§541-547) of title V of Pub. L. 103-382, enacting this chapter] may be cited as the 'Workers Technology Skill Development Act'."

STUDY AND REPORT ON THE "DIGITAL DIVIDE"

Pub. L. 106-313, title I, §115, Oct. 17, 2000, 114 Stat. 1262, provided that:

"(a) STUDY.—The Secretary of Commerce shall conduct a review of existing public and private high-tech workforce training programs in the United States.

"(b) REPORT.—Not later than 18 months after the date of enactment of this Act [Oct. 17, 2000], the Secretary of Commerce shall submit a report to Congress setting forth the findings of the study conducted under subsection (a)."

REPORT ON OLDER WORKERS IN INFORMATION TECHNOLOGY FIELD

Pub. L. 105-277, div. C, title IV, §417, Oct. 21, 1998, 112 Stat. 2681-656, provided that:

"(a) STUDY.—The Director of the National Science Foundation shall enter into a contract with the President of the National Academy of Sciences to conduct a study, using the best available data, assessing the status of older workers in the information technology field. The study shall consider the following:

"(1) The existence and extent of age discrimination in the information technology workplace.

"(2) The extent to which there is a difference, based on age, in—

"(A) promotion and advancement;

"(B) working hours;

"(C) telecommuting;

"(D) salary; and

"(E) stock options, bonuses, and other benefits.

"(3) The relationship between rates of advancement, promotion, and compensation to experience, skill level, education, and age.

"(4) Differences in skill level on the basis of age.

"(b) REPORT.—Not later than October 1, 2000, the Director of the National Science Foundation shall submit to the Committees on the Judiciary of the United States House of Representatives and the Senate a report containing the results of the study described in subsection (a)."

REPORT ON HIGH TECHNOLOGY LABOR MARKET NEEDS

Pub. L. 105-277, div. C, title IV, §418(a), Oct. 21, 1998, 112 Stat. 2681-656, required the Director of the National Science Foundation to conduct a multifaceted study, in a manner that ensured the participation of individuals representing a variety of points of view, to assess labor market needs for workers with high technology skills during the next 10 years, and to submit to Congress a report containing the results of the study by Oct. 1, 2000.

TWENTY-FIRST CENTURY WORKFORCE COMMISSION

Pub. L. 105-220, title III, subtitle C, Aug. 7, 1998, 112 Stat. 1087, as amended by Pub. L. 105-277, div. A, §101(f) [title VIII, §401(15)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-412, known as the "Twenty-First Century Workforce Commission Act", which established the Commission to study all matters relating to the information technology workforce in the United States, including skills necessary to enter the information technology workforce, ways to expand the number of skilled information technology workers, and the relative efficacy of programs in the United States and foreign countries to train information technology workers, and to submit a report to the President and Congress of its findings, conclusions, and recommendations for legislative and administrative actions, and provided for powers of the Commission, compensation of members, employment of staff, authorization of appropriations, and termination of the Commission 90 days after submission of its final report, which was released June 27, 2000, was repealed by Pub. L. 113-128, title V, §511(a), July 22, 2014, 128 Stat. 1705, effective July 1, 2015.

§ 2702. Purposes

The purposes of this chapter are to—

(1) improve the ability of workers and worker organizations to recognize, develop, assess, and improve strategies for successfully integrating workers and worker organizations into the process of evaluating, selecting, and implementing advanced workplace technologies, and advanced workplace practices in a manner that creates and maintains stable well-paying jobs for workers; and

(2) assist workers and worker organizations in developing the expertise necessary for effective participation with employers in the development of strategies and programs for the successful evaluation, selection, and implementation of advanced workplace technologies and advanced workplace practices through the provision of a range of education, training, and related services.

(Pub. L. 103-382, title V, §543, Oct. 20, 1994, 108 Stat. 4052.)

§ 2703. Definitions

As used in this chapter:

(1) Advanced workplace practices

The term "advanced workplace practices" means innovations in work organization and performance, including high-performance workplace systems, flexible production techniques, quality programs, continuous improvement, concurrent engineering, close relationships between suppliers and customers, widely diffused decisionmaking and work teams, and effective integration of production technology, worker skills and training, and workplace organization, and such other characteristics as determined appropriate by the Secretary of Labor, in consultation with the Secretary of Commerce.

(2) Advanced workplace technologies

The term "advanced workplace technologies" includes—

(A) numerically controlled machine tools, robots, automated process control equipment, computerized flexible manufacturing systems, associated computer software, and other technology for improving the manu-

facturing and industrial production of goods and commercial services, which advance the state-of-the-art; or

(B) novel industrial and commercial techniques and processes not previously generally available that improve quality, productivity, and practices, including engineering design, quality assurance, concurrent engineering, continuous process production technology, inventory management, upgraded worker skills, communications with customers and suppliers, and promotion of sustainable economic growth.

(3) Department

The term “Department” means the Department of Labor.

(4) Nonprofit organization

The term “nonprofit organization” means a tax-exempt organization, as described in paragraph (3), (4), or (5) of section 501(c) of title 26.

(5) Secretary

The term “Secretary” means the Secretary of Labor.

(6) Worker organization

The term “worker organization” means a labor organization within the meaning of section 501(c)(5) of title 26.

(Pub. L. 103-382, title V, §544, Oct. 20, 1994, 108 Stat. 4053.)

§ 2704. Grants

(a) In general

The Secretary of Labor, after consultation with the Secretary of Commerce, shall, to the extent appropriations are available, award grants to eligible entities to carry out the purposes described in section 2702 of this title.

(b) Eligibility

To be eligible to receive a grant under this section, an entity shall—

(1) be a nonprofit organization, or a partnership consortium of such organizations;

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of the activities that the entity will carry out using amounts received under the grant; and

(3) agree to make available (directly or through donations from public or private entities) non-Federal contributions toward the costs of the activities to be conducted with grant funds, in an amount equal to the amount required under subsection (d).

(c) Use of amounts

An entity shall use amounts received under a grant awarded under this section to carry out the purposes described in section 2702 of this title through activities such as—

(1) the provision of technical assistance to workers, worker organizations, employers, State economic development agencies, State industrial extension programs, Advanced Technology Centers, and National Manufacturing Technology Centers to identify advanced workplace practices and strategies

that enhance the effective evaluation, selection, and implementation of advanced workplace technologies;

(2) the researching and identification of new and advanced workplace technologies, and advanced workplace practices that promote the improvement of workers’ skills, wages, working conditions, and job security, that research the link between advanced workplace practices and long-term corporate performance, and which are consistent with the needs of local communities and the need for a healthy environment; and

(3) the development and dissemination of training programs and materials to be used for and by workers, worker organizations, employers, State economic development agencies, State industrial extension programs, Advanced Technology Centers, and National Manufacturing Technology Centers relating to the activities and services provided pursuant to paragraphs (1) and (2), and regarding successful practices including practices which address labor-management cooperation and the involvement of workers in the design, development, and implementation of workplace practices and technologies.

(d) Terms of grants and non-Federal shares

(1) Terms

Grants awarded under this section shall be for a term not to exceed six years.

(2) Non-Federal share

Amounts required to be contributed by an entity under subsection (b)(3) shall equal—

(A) an amount equal to 15 percent of the amount provided under the grant in the first year for which the grant is awarded;

(B) an amount equal to 20 percent of the amount provided under the grant in the second year for which the grant is awarded;

(C) an amount equal to 33 percent of the amount provided under the grant in the third year for which the grant is awarded;

(D) an amount equal to 40 percent of the amount provided under the grant in the fourth year for which the grant is awarded; and

(E) an amount equal to 50 percent of the amount provided under the grant in the fifth and sixth years for which the grant is awarded.

(e) Evaluation

The Department shall develop mechanisms for evaluating the effectiveness of the use of a grant awarded under this section in carrying out the purposes under section 2702 of this title and, not later than two years after October 20, 1994, and every two years thereafter, prepare and submit a report to Congress concerning such evaluation.

(Pub. L. 103-382, title V, §545, Oct. 20, 1994, 108 Stat. 4053.)

§ 2705. Identification and dissemination of best practices

(a) In general

(1) Information

The Secretary, in cooperation and after consultation with the Secretary of Commerce,