

116TH CONGRESS
2D SESSION

S. 5068

To direct the Secretary of Labor to award formula and competitive grants for layoff aversion activities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2020

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

A BILL

To direct the Secretary of Labor to award formula and competitive grants for layoff aversion activities, and for other purposes.

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 “Emergency Economic
5 and Workforce System Resiliency Act”.

6 **SEC. 2. DEFINITIONS.**

7 (a) IN GENERAL.—Except as otherwise provided, the
8 terms used in this Act have the meanings given the terms
9 in section 3 of the Workforce Innovation and Opportunity
10 Act (29 U.S.C. 3102).

1 (b) ADDITIONAL DEFINITIONS.—In this Act:

2 (1) EMPLOYEE OWNERSHIP TRUST.—The term
3 “employee ownership trust” means an indirect form
4 of employee ownership in which a trust holds a con-
5 trolling stake in a business on behalf of all its em-
6 ployees and provides an incentive for owners to sell
7 a controlling stake in their business.

8 (2) EMPLOYEE STOCK OWNERSHIP PLAN.—The
9 term “employee stock ownership plan” has the
10 meaning given the term in section 4975(e) of the In-
11 ternal Revenue Code of 1986.

12 (3) REGISTERED APPRENTICESHIP.—The term
13 “registered apprenticeship” means an apprenticeship
14 registered under the Act of August 16, 1937 (com-
15 monly known as the “National Apprenticeship Act”;
16 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

17 (4) SECRETARY.—Except as otherwise provided,
18 the term “Secretary” means the Secretary of Labor.

19 (5) WORKER COOPERATIVE.—The term “work-
20 er cooperative” means a values-driven business—

21 (A) that puts worker and community ben-
22 efit at the core of its purpose; and

23 (B) in which—

24 (i) workers own the business and par-
25 ticipate in its financial success on the basis

1 of their labor contribution to the coopera-
 2 tive; and

3 (ii) workers have representation on
 4 and vote for the board of directors, adher-
 5 ing to the principle of one worker, one
 6 vote.

7 **TITLE I—SUPPLEMENTAL FOR-**
 8 **MULA GRANTS FOR EMER-**
 9 **GENCY LAYOFF AVERSION**
 10 **AND WORKFORCE TRAINING**
 11 **ACTIVITIES**

12 **SEC. 101. FORMULA GRANTS.**

13 (a) IN GENERAL.—Not later than 1 year after the
 14 date of the enactment of this Act, the Secretary shall
 15 award 5-year grants in accordance with subsection (b), to
 16 States to support efforts to—

17 (1) reduce and prevent unemployment; and
 18 (2) limit the impact of disruptions (including
 19 economic-related, pandemic-related, automation-re-
 20 lated, and trade-related disruptions and transitions
 21 due to business owner retirement) on labor markets.

22 (b) STATE ALLOTMENTS.—

23 (1) IN GENERAL.—From the amount appro-
 24 priated under section 105, the Secretary shall—

1 (A) reserve not more than $\frac{1}{4}$ of 1 percent
 2 of such amount to provide assistance to the out-
 3 lying areas to carry out the activities described
 4 in section 103; and

5 (B) make allotments to the States, for
 6 grants described in subsection (a), based on the
 7 formula in paragraph (2) to—

8 (i) make allocations under subsection
 9 (c); and

10 (ii) carry out the State activities de-
 11 scribed in subsection (d).

12 (2) ALLOTMENT FORMULA.—The Secretary
 13 shall make an allotment in accordance with the for-
 14 mula in section 132(b)(1)(B)(ii) of the Workforce
 15 Innovation and Opportunity Act (29 U.S.C.
 16 3172(b)(1)(B)(ii)), to each State that submits and
 17 obtains approval of a State plan under section 102.

18 (c) WITHIN STATE ALLOCATIONS.—

19 (1) IN GENERAL.—Subject to paragraph (2),
 20 the Governor of a State shall use a portion of not
 21 less than 60 percent of the allotment funds received
 22 under subsection (b)(2) to allocate funds to each
 23 local area in the State in accordance with section
 24 133(b)(2)(A)(i) of the Workforce Innovation and
 25 Opportunity Act (29 U.S.C. 3173(b)(2)(A)(i)) to

1 carry out the activities under section 103, in accord-
2 ance with the State plan under section 102 and in
3 consultation with the State board.

4 (2) ADMINISTRATIVE FUNDS.—The Governor of
5 a State may use not more than 10 percent of the
6 portion described in paragraph (1) for administra-
7 tive costs related to administering local activities de-
8 scribed in paragraph (1).

9 (d) STATE ACTIVITIES.—

10 (1) IN GENERAL.—Subject to paragraph (2),
11 the Governor of a State shall use the remaining
12 amount of the allotment funds received under sub-
13 section (b)(2) not allocated under subsection (c) to
14 carry out the activities under section 103 in accord-
15 ance with the State plan under section 102 and in
16 consultation with the State board.

17 (2) ADMINISTRATIVE FUNDS.—The Governor of
18 a State may use not more than 10 percent of the re-
19 maining amount described in paragraph (1) for ad-
20 ministrative costs related to carrying out State ac-
21 tivities described in paragraph (1).

22 **SEC. 102. STATE APPLICATIONS.**

23 (a) IN GENERAL.—

24 (1) APPLICATION BY STATE.—To be eligible to
25 receive a grant under section 101, a State shall sub-

mit a State Workforce Economic Recovery plan (in this Act referred to as a “State plan”), developed by or in consultation with the State board and approved by the Governor, to the Secretary at such time and in such manner as the Secretary may reasonably require, and containing the information described in subsection (b).

(2) RESPONSE BY SECRETARY.—Upon receipt of a State plan, the Secretary shall—

(A) approve the State plan; or

(B) provide the State—

(i) with an explanation as to how the State plan does not meet the goals and requirements of the grant program under this title; and

(ii) with an opportunity to submit an updated State plan or to appeal the decision of the Secretary.

(3) STATE PLAN UPDATES.—

(A) REQUIRED STATE PLAN UPDATES.—

Not later than 2 years after the date a State receives a grant under section 101, a State shall—

(i) update the State plan to reflect changes in the labor market and other eco-

1 nomic conditions affecting the implementa-
 2 tion of the activities funded under the
 3 grant; and

4 (ii) submit to the Secretary such up-
 5 dated State plan.

6 (B) AUTHORIZED STATE PLAN UP-
 7 DATES.—In addition to the updated State plan
 8 required in subparagraph (A), a State may sub-
 9 mit to the Secretary an updated State plan at
 10 any point during the grant period.

11 (b) CONTENTS.—A State plan shall include each of
 12 the following:

13 (1) A description of how the State plan is
 14 aligned with, enhances, expands, or fills service gaps
 15 into the plan submitted by the State under section
 16 102 or 103 of the Workforce Innovation and Oppor-
 17 tunity Act (29 U.S.C. 3112, 3113).

18 (2) A State strategic vision, including—

19 (A) a summary of the goals of the State—

20 (i) for preparing an educated and
 21 skilled workforce for meeting the skilled
 22 workforce needs of employers (particularly
 23 in existing and emerging in-demand indus-
 24 try sectors and occupations), including in-
 25 formation—

1 (I) identifying median income for
2 in-demand sectors and occupations in
3 the State; and

4 (II) on how the State will work
5 to ensure worker access to jobs and
6 industries with higher median wages,
7 opportunities for workers to share in
8 the ownership or profits of their com-
9 panies, and high-quality work environ-
10 ments;

11 (ii) for ensuring equitable access to
12 high-quality jobs for all segments of the
13 population of the State, including a plan
14 for promoting quality career pathways that
15 lead to high-quality jobs for dislocated
16 workers or incumbent workers; and

17 (iii) for offering retiring business own-
18 ers or business owners planning to close
19 their businesses, opportunities to plan that
20 transition in order to ensure the continuity
21 of high-quality jobs in the local economy;
22 and

23 (B) the primary strategies that will be
24 used to achieve the State strategic vision and
25 goals included in such strategic vision, the pro-

1 posed service delivery infrastructure for achiev-
2 ing such goals, and the timeline for achieving
3 such goals.

4 (3) A description of the problems the proposed
5 activities under section 103 aim to solve, and the
6 reason for prioritizing selected problems.

7 (4) A description of how the State will align
8 those activities with, and leverage funds from, the
9 workforce development system and higher education
10 system of the State, public assistance programs of
11 the State, and the economic recovery efforts at the
12 State and local levels.

13 (5) A description of how the State will collabo-
14 rate with other relevant State and local government
15 entities, nonprofit entities, and other relevant groups
16 identified by the State to carry out activities under
17 section 103, including the roles and responsibilities
18 of each entity that will participate in the develop-
19 ment, implementation, evaluation, or oversight of
20 each component of the State plan.

21 (6) An employer engagement strategy that de-
22 scribes how employers will be targeted and recruited
23 to participate, and any expectations for employer
24 participation, such as cash or in-kind contributions,
25 wage release time for employees, provision of on-site

1 child care or financial support for child care, em-
 2 ployee participation incentives, work-based learning
 3 opportunities, or loaned instructors.

4 (7) A description of the data sources (commer-
 5 cial or public) the State will use to identify growing,
 6 stable, and declining—

7 (A) businesses; and

8 (B) industry sectors or occupations.

9 (8) A description of how the State will prioritize
 10 individuals with barriers to employment, underrep-
 11 resented individuals, youth, immigrants, formerly in-
 12 carcerated adults, and individuals experiencing pan-
 13 demic-related job displacement.

14 (9) A description—

15 (A) of how the State will prioritize access
 16 to high-quality jobs by establishing the stand-
 17 ards of job quality that an employer is required
 18 to meet as a condition of receiving funds under
 19 this title, which—

20 (i) include a defined livable wage for
 21 the State or by subregion of the State; and

22 (ii) if the minimum standards estab-
 23 lished by the Interagency Task Force
 24 under section 401 have been established,

1 are consistent with such minimum stand-
2 ards; and

3 (B) of such standards.

4 (10) Any other required information as deter-
5 mined by the Secretary.

6 **SEC. 103. USES OF FUNDS.**

7 (a) APPROVED ACTIVITIES.—Subject to the limita-
8 tions in subsection (b), a State may use, or ensure that
9 a local area uses, the funds awarded under this title for
10 any of the following activities:

11 (1) Training and education opportunities.

12 (2) Adult education.

13 (3) Incumbent worker training.

14 (4) Dislocated worker training.

15 (5) On-the-job training.

16 (6) Job search assistance.

17 (7) Layoff aversion, in advance of the notice re-
18 quired under the Worker Adjustment and Retraining
19 Notification Act (29 U.S.C. 2101 et seq.), which
20 may include assisting employers with product diver-
21 sification, market expansion, and improving produc-
22 tivity.

23 (8) Helping individuals who need assistance
24 with starting up, scaling up, or maintaining their
25 businesses, through entrepreneurial development and

1 coaching, which may include the provision of loans
2 through local boards of up to \$8,000 to help with
3 starting up a new business or maintaining a busi-
4 ness in financial distress.

5 (9) Developing career pathway opportunities
6 (including through industry or sector partnerships)
7 to in-demand, high-quality jobs in coordination with
8 employers, community-based organizations, and
9 State higher education systems, and the State reg-
10 istered apprenticeship agency.

11 (10) Related instruction for a pre-apprentice-
12 ship, a registered apprenticeship, or other work-
13 based training in a career pathway.

14 (11) Funding existing or establishing new State
15 or nonprofit employee ownership resource centers
16 that offer education and technical assistance to re-
17 tiring business owners, new entrepreneurs, or worker
18 groups for the purpose of using broad-based em-
19 ployee share ownership through of employee stock
20 ownership plans, worker cooperatives, or employee
21 ownership trusts, to allow worker groups to buy out
22 retiring business owners.

23 (12) Providing capital for revolving loan funds
24 managed by State or nonprofit entities that offer
25 loans to—

1 (A) allow worker groups to buy out retir-
 2 ing business owners;

3 (B) worker groups or entrepreneurs look-
 4 ing to save a declining business through em-
 5 ployee-ownership; or

6 (C) workers using broad-based employee
 7 share ownership through of employee stock
 8 ownership plans, worker cooperatives, or em-
 9 ployee ownership trusts.

10 (b) LIMITATIONS.—No State or local area may use
 11 funds awarded under this title to—

12 (1) recruit businesses, employees, or customers
 13 from another State;

14 (2) assist employers whose jobs do not meet the
 15 standards of job quality under section 102(b)(9); or

16 (3) assist proprietary institutions of higher edu-
 17 cation (as defined in section 102(b) of the Higher
 18 Education Act of 1965 (20 U.S.C. 1002(b))).

19 **SEC. 104. REPORTING REQUIREMENTS AND NATIONAL RE-**
 20 **POSITORY.**

21 (a) REPORTING REQUIREMENTS.—

22 (1) STATES.—Each State that receives a grant
 23 under this title shall submit to the Secretary an an-
 24 nual report that, to the extent practicable, integrates
 25 reporting requirements under the Workforce Innova-

tion and Opportunity Act (29 U.S.C. 3101 et seq.)
and includes—

(A) an evaluation—

(i) of the performance of the activities
carried out by the State under the grant—

(I) with respect to meeting the
goals of the State plan; and

(II) with respect to the indicators
of performance under section
116(b)(2)(A) of the Workforce Inno-
vation and Opportunity Act (29
U.S.C. 3141(b)(2)(A)); and

(ii) if the satisfaction measurement
framework as determined by the Inter-
agency Task Force under section 401 has
been established, of the satisfaction of each
employer receiving assistance under this
title on the basis of such satisfaction meas-
urement framework; and

(B) information on whether an employer
that received assistance under the grant pro-
vided health benefits, paid sick leave, and paid
family and medical leave to employees.

(2) SECRETARY.—The Secretary shall submit a
report to Congress on an annual basis containing a

1 summary of the reports received under paragraph
 2 (1), including information on promising emerging
 3 practices with respect to layoff aversion and job cre-
 4 ation.

5 (b) NATIONAL REPOSITORY.—The Secretary shall,
 6 jointly with the Interagency Task Force established under
 7 title IV, establish on a publicly accessible website, a na-
 8 tional repository—

9 (1) of data-driven, promising emerging prac-
 10 tices with respect to layoff aversion and job creation
 11 based on the evaluations described in subsection
 12 (a)(1); and

13 (2) of recommendations for replicating and
 14 scaling up such practices.

15 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

16 There is authorized to be appropriated to carry out
 17 this title \$250,000,000 for fiscal year 2021 and each of
 18 the 4 succeeding fiscal years.

19 **TITLE II—COMPETITIVE GRANTS** 20 **FOR INNOVATIVE LAYOFF** 21 **AVERSION MODELS**

22 **SEC. 201. COMPETITIVE GRANTS.**

23 (a) GRANTS AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary shall award
 25 planning grants under subsection (b) and implemen-

1 tation grants under subsection (c), on a competitive
2 basis and in accordance with paragraph (2), to
3 States for innovative layoff aversion models.

4 (2) GRANT CYCLES.—

5 (A) IN GENERAL.—In awarding grants
6 under this title, the Secretary shall award—

7 (i) a first cycle of grants that shall in-
8 clude—

9 (I) planning grants under sub-
10 section (b), that shall be used during
11 the 18-month period beginning on the
12 date on which the grant is awarded;
13 and

14 (II) implementation grants under
15 subsection (c), that shall be used dur-
16 ing the 5-year period beginning on the
17 date on which the grant is awarded;
18 and

19 (ii) a second cycle of grants that shall
20 be new implementation grants under sub-
21 section (c)—

22 (I) to States that used planning
23 grants in accordance with subpara-
24 graph (A)(i)(I); and

1 (II) that shall be used during the
2 3.5-year period beginning on the date
3 on which the grant is awarded.

4 (B) AMOUNT AVAILABLE FOR GRANT CY-
5 CLES.—From the amount appropriated under
6 subsection (e), the Secretary shall allocate—

7 (i) not more than 70 percent to be
8 used to award the first round of grants
9 under subparagraph (A)(i); and

10 (ii) any remaining funds to be used to
11 award the second round of grants under
12 subparagraph (A)(ii).

13 (b) PLANNING GRANTS.—

14 (1) APPLICATIONS.—

15 (A) IN GENERAL.—To receive a planning
16 grant under this title, a State shall submit an
17 application to the Secretary, at such time and
18 in such manner as the Secretary may require,
19 and containing the information described in
20 subparagraph (B).

21 (B) CONTENTS.—Each application shall
22 include each of the following:

23 (i) A description of the need for a
24 planning grant, and whether the State

1 plans to submit an application for an im-
 2 plementation grant.

3 (ii) A description of the planning ac-
 4 tivities the State will carry out with a plan-
 5 ning grant.

6 (iii) A description of each entity with
 7 which the State will coordinate to carry
 8 out such activities.

9 (iv) A description of the commercial
 10 or public data sources that the State plans
 11 to use to—

12 (I) investigate declining, stag-
 13 nant, and in-demand industry sectors
 14 or occupations and employers in the
 15 State;

16 (II) determine the needs of un-
 17 derserved and underrepresented popu-
 18 lations to obtain and retain high-qual-
 19 ity jobs; and

20 (III) identify strategies and ap-
 21 proaches to job creation and layoff
 22 aversion.

23 (v) A list of individuals and organiza-
 24 tions, including roles and responsibilities,

1 of each member of the State grantee advisory
2 council established under title III.

3 (vi) A description of potential State
4 administrative policies or other conditions
5 that may support or impede implementation
6 of new approaches to job creation and
7 layoff aversion.

8 (2) GRANT AMOUNT.—A planning grant awarded
9 under this title may be made in an amount that
10 is not less than \$75,000, and not more than
11 \$350,000.

12 (3) USES OF FUNDS.—For a period that is not
13 greater than 18 months after the date of receipt of
14 a planning grant under this subsection, a State receiving
15 a planning grant shall use such grant to
16 carry out at least one of the following purposes:

17 (A) To research, develop a proof of concept,
18 or pilot layoff aversion and job creation
19 strategies prior to submission of an implementation
20 grant application under subsection (c), if
21 the State plans to apply for such a grant.

22 (B) To help support the modification or removal
23 of State administrative policy barriers to
24 implementation of job creation and layoff aversion
25 interventions.

1 (c) IMPLEMENTATION GRANTS.—

2 (1) APPLICATION PROCESS.—

3 (A) IN GENERAL.—To receive an imple-
4 mentation grant under this title, a State shall
5 submit an application to the Secretary at such
6 time and in such manner as the Secretary may
7 require, and containing the information de-
8 scribed in subparagraph (B).

9 (B) CONTENTS.—Subject to subparagraph
10 (C), each application shall include each of the
11 following:

12 (i) A description of the layoff aversion
13 interventions that will be carried out in-
14 cluding not less than one layoff aversion
15 intervention aimed at a particular industry
16 sector or occupation or segment of the
17 workforce, or that is workforce develop-
18 ment system-wide, and the plan for deploy-
19 ing such interventions.

20 (ii) A description of the projected per-
21 formance goals for such interventions, and
22 a timeline for achieving such goals.

23 (iii) An analysis of the need for the
24 grant, the particular problems that will be
25 addressed through such interventions, and

1 the reasons for prioritizing such interven-
2 tions.

3 (iv) A description of efforts already
4 underway in the State that have been pre-
5 viously implemented to create jobs or avert
6 layoffs, and a description of the successful
7 elements and lessons learned that have in-
8 formed each type of intervention that will
9 be funded under the grant.

10 (v) An identification of the State
11 agency for fiscal and contract administra-
12 tion, and description of the management
13 capacity of such agency.

14 (vi) A description of how the State
15 will collaborate with partners that consist
16 of relevant State and local government
17 agencies, nonprofit entities, business and
18 employer partners, and any other groups
19 determined relevant by the State, which
20 may include—

21 (I) small business development
22 entities;

23 (II) economic development enti-
24 ties;

25 (III) job training entities;

1 (IV) unemployment compensation
2 entities;

3 (V) institutions of higher edu-
4 cation (including 2-year public institu-
5 tions of higher education);

6 (VI) labor unions;

7 (VII) business associations;

8 (VIII) community-based organi-
9 zations; and

10 (IX) American Job Centers es-
11 tablished under section 121 of the
12 Workforce Innovation and Oppor-
13 tunity Act (29 U.S.C. 3151) and one-
14 stop centers.

15 (vii) A description of the roles and re-
16 sponsibilities of each partner described in
17 clause (vi).

18 (viii) A description of how the State
19 will leverage State, local, and private re-
20 sources from partnering entities, including
21 the partners described in clause (vi).

22 (ix) A description of how the State
23 will identify and prioritize employers or in-
24 dustry sectors with the most significant

1 risks for decline, and individual workers at
2 risk of layoffs.

3 (x) A list of in-demand industry sec-
4 tors or occupations that will be the target
5 of the interventions, the corresponding rec-
6 ognized postsecondary credentials nec-
7 essary for workers to obtain jobs in such
8 sectors or occupations, and a description of
9 how underrepresented populations and in-
10 dividuals with education and employment
11 barriers will be supported to succeed in
12 such sectors or occupations.

13 (xi) A description of the recognized
14 postsecondary credentials necessary for
15 workers to obtain in-demand high-quality
16 jobs within targeted sectors or occupations,
17 the corresponding education and training
18 resources currently available to be lever-
19 aged, new corresponding education and
20 training resources that must be developed,
21 the quality of the education and training to
22 be offered that leads to each recognized
23 postsecondary credential, and the role of
24 employers in helping to create the appro-

1 priate and adequate pipeline of workers
2 with those credentials.

3 (xii) A list of individuals and organi-
4 zations, including roles and responsibilities,
5 of each member of the State advisory
6 council established under title III.

7 (xiii) A description—

8 (I) of how the State will
9 prioritize access to high-quality jobs
10 by establishing the standards of job
11 quality that an employer is required
12 to meet as a condition of receiving
13 funds under this title, which, if the
14 minimum standards established by the
15 Interagency Task Force under section
16 401 have been established, are con-
17 sistent with such minimum standards;
18 and

19 (II) of such standards.

20 (xiv) Any other information required
21 by the Secretary.

22 (C) SIMPLIFIED APPLICATION PROCESS.—

23 The Secretary shall establish a simplified appli-
24 cation process for States that received a plan-

1 ning grant under this title and are seeking to
2 apply for an implementation grant.

3 (2) GRANT AMOUNT.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), an implementation grant awarded
6 under this title may be made in an amount that
7 is not less than \$5,000,000, and not more than
8 \$20,000,000.

9 (B) ADDITIONAL FUNDS.—A State that is
10 awarded an implementation grant under this
11 title for piloting 1 or more of the following
12 models may receive an amount that is not more
13 than \$5,000,000 in additional funds:

14 (i) Establishing a State or local public
15 holding company that invests and acquires
16 ownership in distressed businesses to allow
17 them to continue operating or reopen later.

18 (ii) Piloting a model that seeks to im-
19 prove individual economic security through
20 every stage of career life, particularly for
21 workers who are left out of traditional un-
22 employment insurance, benefits, or worker
23 training and retraining programs such as
24 independent contractors, gig workers, busi-
25 ness owners, and individuals who are car-

ing for dependents or otherwise not working outside of the home. Such model may include efforts to provide broader lifelong access to income support, access to pensions or retirement savings accounts, health care benefits, paid family leave, paid medical leave, and other fringe benefits.

(iii) Establishing joint sector-based or labor-management governance boards with shared oversight over a worker support fund. Such a worker support fund may be used to provide—

(I) ongoing training and retraining opportunities;

(II) income support during unemployment;

(III) health insurance or other health and wellness benefits;

(IV) flexible compensation during alternative or flexible work schedules;

(V) paid sick leave or paid family leave; or

(VI) other benefits as determined by the joint sector-based or labor-management governance board.

1 (3) PRIORITY.—In awarding implementation
2 grants under this title, the Secretary, in consultation
3 with the Interagency Task Force established under
4 title IV, shall prioritize each of the following types
5 of States:

6 (A) States that demonstrate the greatest
7 need.

8 (B) States that have the most thorough
9 plans for deploying interventions.

10 (C) States that prioritize individuals with
11 barriers to employment, underrepresented indi-
12 viduals, immigrants, youth, formerly incarcerated
13 individuals, or individuals experiencing
14 pandemic-related job displacement.

15 (D) States that are committed to forging
16 career pathways with employers that provide
17 high-quality jobs—

18 (i) as defined by the State under sec-
19 tion 102(b)(9); or

20 (ii) in a case in which the State does
21 not submit a State plan under title I, as
22 defined in accordance with the require-
23 ments of section 102(b)(9).

24 (E) States that have the most thorough,
25 actionable, and achievable plans for deploying

1 interventions, and present reliable and relevant
2 evidence for the interventions chosen.

3 (d) REPORTING REQUIREMENTS.—

4 (1) STATES.—Each State receiving a grant
5 under subsections (b) or (c) shall submit annual per-
6 formance reports to the Secretary that demonstrate
7 how the State’s grant-funded activities are per-
8 forming with respect to indicators of performance
9 under section 116(b)(2)(A) of the Workforce Innova-
10 tion and Opportunity Act (29 U.S.C.
11 3141(b)(2)(A)), and the employer satisfaction meas-
12 ures established by the Interagency Task Force es-
13 tablished under title IV.

14 (2) SECRETARY.—The Secretary shall submit
15 to Congress, a report—

16 (A) on an annual basis, containing a sum-
17 mary of the reports submitted under paragraph
18 (1); and

19 (B) at the conclusion of each implementa-
20 tion grant period, containing the results of a
21 rigorous, independent evaluation of the grants
22 awarded under this title.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this title,
25 \$250,000,000 for fiscal year 2021.

**TITLE III—STATE GRANTEE
ADVISORY COUNCIL**

SEC. 301. STATE GRANTEE ADVISORY COUNCIL.

(a) IN GENERAL.—Each State that receives a grant under title I or title II shall designate a State grantee advisory council.

(b) MEMBERSHIP AND DUTIES.—

(1) IN GENERAL.—The State board shall serve as the State grantee advisory council and shall oversee and assess the performance of the activities carried out under the grant received under title I or II.

(2) OTHER ENTITIES.—The Governor shall appoint a representative of each of the following types of entities to serve as a member of the State grantee advisory council, if the entity involved is not represented on the State board:

(A) The State workforce development system.

(B) The State unemployment compensation agency.

(C) The State higher education system, including the system covering 2-year public institutions of higher education.

(D) The State, local, or regional chamber of commerce.

1 (E) Employer organizations.

2 (F) Labor organizations or joint labor-
3 management organizations.

4 (G) Community-based organizations.

5 (H) An established State-based employee
6 ownership center that offers education and
7 technical assistance to retiring business owners,
8 worker groups, entrepreneurs, or declining busi-
9 nesses, for the purpose of using broad-based
10 employee share ownership through employee
11 stock ownership plans, worker cooperatives, or
12 employee ownership trusts, to allow worker
13 groups to buy out businesses.

14 (I) Any other member relevant to the ac-
15 tivities carried out by the State under the grant
16 awarded under title I or II.

17 **TITLE IV—INTERAGENCY TASK** 18 **FORCE**

19 **SEC. 401. PURPOSES.**

20 (a) ESTABLISHMENT.—There is established within
21 the Federal Government, and not later than 6 months
22 after the date of enactment of this Act, the Secretary of
23 Commerce and Secretary of Labor (in this title collectively
24 referred to as the “Secretaries”) shall jointly assemble, a

1 Federal interagency task force (referred to in this Act as
2 the “Interagency Task Force”).

3 (b) DUTIES.—The Interagency Task Force shall—

4 (1) identify any challenges that a State or local
5 area receiving funds under this Act has had to over-
6 come;

7 (2) collect and disseminate best practices and
8 develop and recommend policies at the Federal level,
9 to support ongoing efforts to limit the impact of
10 market disruptions on workers, employers, and in-
11 dustry sectors or occupations, particularly with re-
12 spect to groups specified in section 102(b)(8);

13 (3) establish a framework for a State receiving
14 a grant under this Act to measure employer satisfac-
15 tion with respect to activities funded under this Act;
16 and

17 (4) establish the minimum standards of job
18 quality that an employer is required to meet as a
19 condition of receiving assistance under this Act—

20 (A) by taking into consideration—

21 (i) standards concerning whether an
22 employer provides wages at a rate not less
23 than the rate specified in the minimum liv-
24 ing wage standards for States and local-
25 ities recommended, subject to subpara-

graph (B), by research centers at public or private nonprofit institutions of higher education or think tanks;

(ii) standards concerning whether an employer provides access to ongoing training and advancement opportunities;

(iii) standards concerning whether an employer provides paid sick days, paid family leave, or paid medical leave or short-term disability leave; and

(iv) standards concerning whether an employer provides adequate hours and predictable schedules; and

(B) by using, for the minimum living wage standards, a market-based approach that utilizes geographically specific expenditure data related to the expected minimum food, child care, health insurance, housing, transportation, and other basic needs costs, of a household.

SEC. 402. COMPOSITION.

The Interagency Task Force shall be composed of the following individuals:

(1) The Secretary of Labor.

(2) The Assistant Secretary of Commerce for Economic Development.

1 (3) The Administrator of the Small Business
2 Administration.

3 (4) The Director of the Community Develop-
4 ment Financial Institutions Fund of the Department
5 of the Treasury.

6 (5) The Assistant Secretary for Career, Tech-
7 nical, and Adult Education of the Department of
8 Education.

9 (6) The Assistant Secretary for Postsecondary
10 Education of the Department of Education.

11 (7) A representative from the Employment and
12 Training Administration of the Department of
13 Labor.

14 **SEC. 403. MEETINGS.**

15 The Interagency Task Force shall meet at least on
16 an annual basis until the date on which the Interagency
17 Task Force is terminated under section 405, to evaluate
18 the activities being carried out by each State receiving a
19 grant under this Act and impact of those activities on em-
20 ployers, incumbent workers, and jobseekers, including the
21 effectiveness of such activities—

22 (1) in keeping workers employed in high-quality
23 jobs;

1 (2) in helping workers transition smoothly to
2 high-quality, in-demand jobs during economic dis-
3 ruption;

4 (3) in improving business resiliency during eco-
5 nomic disruption; and

6 (4) in expanding the number of jobs available
7 in high-quality, in-demand industry sectors and oc-
8 cupations.

9 **SEC. 404. REPORT.**

10 Not later than 1 year after the date on which the
11 funds provided under the grants awarded under this Act
12 are expended by the States receiving grants under this
13 Act, the Interagency Task Force shall submit a report to
14 Congress detailing recommendations for a Federal pro-
15 gram based on the most promising practices carried out
16 with the funds awarded under titles I and II.

17 **SEC. 405. SUNSET.**

18 The Interagency Task Force shall terminate after
19 submitting the report under section 404.

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