

115TH CONGRESS 2D SESSION

H. R. 4942

To require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement.

IN THE HOUSE OF REPRESENTATIVES

February 6, 2018

Mr. MITCHELL (for himself, Mr. RYAN of Ohio, and Mr. SMUCKER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

- To require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement.
 - 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 "Building U.S. Infra-
 - 5 structure by Leveraging Demands for Skills" or the
 - 6 "BUILDS Act".

1 SEC. 2. PURPOSE.

- 2 The purpose of this Act is to promote industry or
- 3 sector partnerships that engage in collaborative planning,
- 4 resource alignment, and training efforts across multiple
- 5 businesses, for a range of workers employed or potentially
- 6 employed by infrastructure industries, in order to encour-
- 7 age industry growth and competitiveness and to improve
- 8 worker training, retention, and advancement.

9 SEC. 3. DEFINITIONS.

- 10 In this Act:
- 11 (1) CAREER AND TECHNICAL EDUCATION; CA-
- 12 REER GUIDANCE AND ACADEMIC COUNSELING.—The
- terms "career and technical education" and "career
- guidance and academic counseling" have the mean-
- ings given such terms in section 3 of the Carl D.
- 16 Perkins Career and Technical Education Act of
- 17 2006 (20 U.S.C. 2302).
- 18 (2) CAREER PATHWAY.—The term "career
- pathway" has the meaning given such term in sec-
- 20 tion 3 of the Workforce Innovation and Opportunity
- 21 Act (29 U.S.C. 3102).
- 22 (3) ELIGIBLE ENTITY.—The term "eligible enti-
- 23 ty" means an entity that is an industry or sector
- partnership, or (with respect to an implementation
- 25 grant) an entity that is in the process of establishing
- an industry or sector partnership.

- 1 (4) Individual with a barrier to employ2 Ment; industry or sector partnership; local
 3 Board.—The terms "individual with a barrier to
 4 employment", "industry or sector partnership", and
 5 "local board" have the meanings given such terms in
 6 section 3 of the Workforce Innovation and Opportunity Act.
 - (5) RECOGNIZED POSTSECONDARY CREDENTIAL; REGISTERED APPRENTICESHIP PROGRAM.—
 The terms "recognized postsecondary credential" and "registered apprenticeship program" have the meanings given such terms in such section.
 - (6) Secretary.—The term "Secretary" means the Secretary of Labor.
 - (7) STATE; STATE BOARD.—The terms "State" and "State board" have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act.
 - (8) Targeted infrastructure industry.—
 The term "targeted infrastructure industry" means an industry, including transportation (including surface, transit, aviation, or railway transportation), construction, energy, information technology, or utilities industries, that the eligible entity identifies in

1	accordance with section 5(c) to be served by a grant
2	under this Act.
3	(9) Work-based learning program.—The
4	term "work-based learning program" means a pro-
5	gram (which may be a registered apprenticeship pro-
6	gram) that provides workers with paid work experi-
7	ence and corresponding approved classroom instruc-
8	tion, delivered in an employment relationship that
9	both the employer and worker intend to be perma-
10	nent.
11	SEC. 4. GRANTS AUTHORIZED.
12	(a) In General.—The Secretary, in consultation
13	with the Secretary of Transportation, the Secretary of En-
14	ergy, the Secretary of Commerce, the Secretary of Edu-
15	cation, and the Chief of Engineers and Commanding Gen-
16	eral of the Army Corps of Engineers, shall award, on a
17	competitive basis, grants to eligible entities to plan and
18	implement activities to achieve the strategic objectives de-
19	scribed in section 5(d) with respect to a targeted infra-
20	structure industry.
21	(b) Grants.—
22	(1) Types of grants.—A grant awarded
23	under this Act may be in the form of—
24	(A) an implementation grant, for entities

seeking an initial grant under this Act; or

1	(B) a renewal grant for entities that have
2	already received an implementation grant under
3	this Act.
4	(2) Duration.—Each grant awarded under
5	this Act shall be for a period not to exceed 3 years.
6	(3) Amount.—The amount of a grant awarded
7	under this Act may not exceed—
8	(A) for an implementation grant,
9	\$2,500,000; and
10	(B) for a renewal grant, \$1,500,000.
11	(c) Award Basis.—
12	(1) Geographic diversity.—The Secretary
13	shall award grants under this Act in a manner that
14	ensures geographic diversity in the areas in which
15	activities will be carried out under the grants.
16	(2) Priority for renewal grants.—In
17	awarding renewal grants under this Act, the Sec-
18	retary shall give priority to eligible entities that—
19	(A) demonstrate long-term sustainability of
20	an industry or sector partnership; and
21	(B) provide a non-Federal share of the
22	cost of the activities.
23	SEC. 5. APPLICATION PROCESS.
24	(a) In General.—An eligible entity desiring a grant
25	under this Act shall submit an application to the Secretary

- 1 at such time, in such manner, and containing such infor-
- 2 mation as the Secretary may require, including the con-
- 3 tents described in subsection (b).
- 4 (b) CONTENTS.—An application submitted under this
- 5 Act shall contain, at a minimum—
- 6 (1) a description of the eligible entity, evidence 7 of the eligible entity's capacity to carry out activities 8 to achieve the strategic objectives described in sub-9 section (d), and the expected participation and re-10 sponsibilities of each of the partners included in the

industry or sector partnership involved;

- (2) a description of the targeted infrastructure industry served by the grant, and a description of how such industry was identified in accordance with subsection (c);
- (3) a description of the workers that will be targeted or recruited by the partnership, including an analysis of the existing labor market, a description of potential barriers to employment for targeted workers, and a description of strategies that will be employed to help workers overcome such barriers;
- (4) a description of the local, State, or federally funded infrastructure projects on which the eligible entity anticipates engaging partners;

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1	(5) a description of the strategic objectives de-
2	scribed in subsection (d) that the eligible entity in-
3	tends to achieve concerning the targeted infrastruc-
4	ture industry;
5	(6) a description of the credentials that the eli-
6	gible entity proposes to use or develop as a perform-
7	ance measure, to assess the degree to which the eli-
8	gible entity has achieved such strategic objectives
9	which credentials—
10	(A) shall be nationally portable;
11	(B) shall be recognized postsecondary cre-
12	dentials or, if not available for the industry
13	other credentials determined by the Secretary
14	to be appropriate; and
15	(C) shall be related to the targeted infra-
16	structure industry that the eligible entity pro-
17	poses to support;
18	(7) a description of the manner in which the eli-
19	gible entity intends to make sustainable progress to-
20	wards achieving such strategic objectives;
21	(8) performance measures for measuring
22	progress towards achieving such strategic objectives
23	(9) a description of the Federal and non-Fed-
24	eral resources, available under provisions of law

other than this Act, that will be leveraged in support

- of the partnerships and activities under this Act;
- 2 and
- 3 (10) a timeline for progress towards achieving
- 4 such strategic objectives.
- 5 (c) Targeted Infrastructure Industry.—Each
- 6 grant under this Act shall serve a targeted infrastructure
- 7 industry that is identified by the eligible entity through
- 8 working with businesses, industry associations and organi-
- 9 zations, labor organizations, State boards, local boards,
- 10 economic development agencies, and other organizations
- 11 that the eligible entity determines necessary.
- 12 (d) STRATEGIC OBJECTIVES.—The activities to be
- 13 carried out under each grant awarded under this Act shall
- 14 be designed to achieve strategic objectives that include the
- 15 following:
- 16 (1) Recruiting key stakeholders in the targeted
- infrastructure industry, such as multiple businesses,
- labor organizations, local boards, and education and
- training providers, including providers of career and
- technical education, and regularly convening the
- 21 stakeholders in a collaborative structure that sup-
- 22 ports the sharing of information, ideas, and chal-
- lenges common to the targeted infrastructure indus-
- 24 try.

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1	(2) Identifying the training needs of multiple
2	businesses in the targeted infrastructure industry,
3	including—
4	(A) needs for skills critical to competitive-
5	ness and innovation in the industry;
6	(B) needs of the registered apprenticeship
7	programs or other work-based learning pro-
8	grams supported by the grant; and
9	(C) needs for the usage of career path-
10	ways.
11	(3) Facilitating actions that lead to economies
12	of scale by aggregating training and education needs
13	of multiple businesses.
14	(4) Helping postsecondary educational institu-
15	tions, training institutions, sponsors of registered
16	apprenticeship programs, and all other providers of
17	career and technical education and training pro-
18	grams receiving assistance under this Act, align cur-
19	ricula, entrance requirements, and programs to the
20	targeted infrastructure industry needs and the cre-
21	dentials described in subsection (b)(6), particularly
22	for higher skill, high-priority occupations related to
23	the targeted infrastructure industry.
24	(5) Providing information on the grant activi-

ties to the State agency carrying out the State pro-

- gram under the Wagner-Peyser Act (29 U.S.C. 49
- et seq.), including staff of the agency that provide
- 3 services under such Act, to enable the agency to in-
- 4 form recipients of unemployment compensation of
- 5 the employment and training opportunities that may
- 6 be offered through the grant activities.
- 7 (6) Helping partner businesses in industry or
- 8 sector partnerships to attract potential workers from
- 9 a diverse jobseeker base, including individuals with
- barriers to employment, by identifying any such bar-
- 11 riers through analysis of the labor market and im-
- 12 plementing strategies to help such workers overcome
- such barriers.

14 SEC. 6. ACTIVITIES.

- 15 (a) In General.—An eligible entity receiving a
- 16 grant under this Act shall—
- 17 (1) designate an entity in the industry or sector
- partnership as the fiscal agent for the grant funds;
- 19 and
- 20 (2) carry out activities described in subsections
- (b) (as applicable), (c), and (d) to achieve the stra-
- tegic objectives identified in the entity's application
- under section 5(b)(5), in a manner that integrates
- services and funding sources to ensure effectiveness

1	of the activities and that uses the grant funds effi-
2	ciently.
3	(b) Planning Activities.—An eligible entity receiv-
4	ing an implementation grant under this Act shall use not
5	more than \$250,000 of the grant funds to carry out plan-
6	ning activities during the first year of the grant period.
7	Such activities may include—
8	(1) establishing the industry or sector partner-
9	ship;
10	(2) convening key stakeholders as identified in
11	the application process;
12	(3) conducting outreach to local businesses and
13	business associations; or
14	(4) conducting an evaluation of workforce needs
15	in the local area.
16	(c) Business Engagement.—An eligible entity re-
17	ceiving a grant under this Act shall use the grant funds
18	to provide services to engage businesses in efforts to
19	achieve the strategic objectives identified in the entity's
20	application under section $5(b)(5)$. The services may in-
21	clude assisting businesses—
22	(1) in navigating the registration process for a
23	sponsor of a registered apprenticeship program;
24	(2) by connecting the business with an edu-
25	cation provider, including a provider of career and

1	technical education, to develop classroom instruction
2	to complement on-the-job learning;
3	(3) in developing the curriculum design of a
4	work-based learning program;
5	(4) in employing workers participating in a
6	work-based learning program for a transitional pe-
7	riod before a business hires the worker for full-time
8	employment not less than 30 hours a week;
9	(5) in providing training to managers and
10	front-line workers to serve as trainers or mentors to
11	workers participating in a work-based learning pro-
12	gram;
13	(6) in providing career awareness activities,
14	such as career guidance and academic counseling;
15	and
16	(7) in recruiting, for participation in a work-
17	based learning program, individuals eligible to re-
18	ceive additional workforce or human services, includ-
19	ing—
20	(A) individuals participating in programs
21	under the Workforce Innovation and Oppor-
22	tunity Act (29 U.S.C. 3101 et seq.), and the
23	amendments made by such Act, including to the
24	Rehabilitation Act of 1973 (29 U.S.C. 701 et

seq.);

1	(B) recipients of assistance through the
2	supplemental nutrition assistance program es-
3	tablished under the Food and Nutrition Act of
4	2008 (7 U.S.C. 2011 et seq.);
5	(C) recipients of assistance through the
6	program of block grants to States for tem-
7	porary assistance for needy families established
8	under part A of title IV of the Social Security
9	Act (42 U.S.C. 601 et seq.); or
10	(D) any other individuals with a barrier to
11	employment.
12	(d) Support Services.—The eligible entity receiv-
13	ing a grant under this Act shall use the grant funds to
14	provide services to support the success of individuals de-
15	scribed in subsection $(c)(7)$ who are participating in a
16	work-based learning program for a period of not less than
17	12 months. Such services may include the following:
18	(1) Pre-employment services.—Services,
19	provided in a pre-employment stage of the program,
20	to expand access to a work-based learning program
21	for individuals described in subsection $(c)(7)$. Such
22	services may include—
23	(A) skills training;
24	(B) career and technical education;
25	(C) initial assessments;

1	(D) providing work attire and necessary
2	tools for a work site;
3	(E) wrap-around services, such as child
4	care and transportation; and
5	(F) job placement assistance.
6	(2) Early employment services.—Services
7	provided to individuals described in subsection (c)(7)
8	who are participating in a work-based learning pro-
9	gram during their first 6 months of employment
10	through such program, to assure the individuals suc-
11	ceed in the program. Such services may include—
12	(A) ongoing case management and support
13	services, including the services provided in the
14	pre-employment stage described in paragraph
15	(1);
16	(B) continued skills training, including ca-
17	reer and technical education, conducted in col-
18	laboration with employers of such individuals;
19	(C) additional mentorship and retention
20	supports for such individuals;
21	(D) targeted training for frontline man-
22	agers, journey level workers working with such
23	individuals (such as mentors), and human re-
24	source representatives within the business
25	where such individuals are placed; and

- 1 (E) subsidized wages and benefits for a pe-2 riod of not more than 6 months, during which 3 the eligible entities shall serve as the employers 4 of record of such individuals.
- 5 (3) EMPLOYMENT SERVICES.—Services to en-6 sure the individuals described in paragraph (2) 7 maintain employment in the work-based learning 8 program for at least 12 months. The services shall 9 include support necessary to complete the work-10 based learning program, such as continuation of 11 mentoring and support services provided under para-12 graph (2).
- 13 (e) EVALUATION AND PROGRESS REPORTS.—Not
 14 later than 1 year after receiving a grant under this Act,
 15 and annually thereafter, the eligible entity receiving the
 16 grant shall submit a report to the Secretary and the Gov17 ernor of the State that the eligible entity serves, that—
 18 (1) describes the activities funded by the grant.
- 18 (1) describes the activities funded by the grant; 19 and
- 20 (2) evaluates the progress the eligible entity has 21 made towards achieving the strategic objectives iden-22 tified under section 5(b)(5).
- 23 (f) ADMINISTRATIVE COSTS.—An eligible entity may 24 use not more than 5 percent of the funds awarded through

- 1 a grant under this Act for administrative expenses in car-
- 2 rying out this section.

3 SEC. 7. ADMINISTRATION BY THE SECRETARY.

- 4 (a) In General.—The Secretary may use not more
- 5 than 10 percent of the amount appropriated under section
- 6 8 for each fiscal year for administrative expenses to carry
- 7 out this Act, including the expenses of providing the tech-
- 8 nical assistance and oversight activities under subsection
- 9 (b).
- 10 (b) Technical Assistance; Oversight.—The Sec-
- 11 retary shall provide technical assistance and oversight to
- 12 assist the eligible entities in applying for and admin-
- 13 istering grants awarded under this Act.
- 14 SEC. 8. AUTHORIZATION OF APPROPRIATIONS.
- There is authorized to be appropriated \$350,000,000
- 16 to carry out this Act through fiscal year 2023.

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