

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
13 terms “career and technical education” and “career
14 guidance and academic counseling” have the mean-
15 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
19 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
24 partnership, or (with respect to an implementation
25 grant) an entity that is in the process of establishing
26 an industry or sector partnership.

1 (4) INDIVIDUAL WITH A BARRIER TO EMPLOY-
2 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 Oppor-
7 tunity Act.

8 (5) RECOGNIZED POSTSECONDARY CREDEN-
9 TIAL; REGISTERED APPRENTICESHIP PROGRAM.—
10 The terms “recognized postsecondary credential”
11 and “registered apprenticeship program” have the
12 meanings given such terms in such section.

13 (6) SECRETARY.—The term “Secretary” means
14 the Secretary of Labor.

15 (7) STATE; STATE BOARD.—The terms “State”
16 and “State board” have the meanings given such
17 terms in section 3 of the Workforce Innovation and
18 Opportunity Act.

19 (8) TARGETED INFRASTRUCTURE INDUSTRY.—
20 The term “targeted infrastructure industry” means
21 an industry, including transportation (including sur-
22 face, transit, aviation, or railway transportation),
23 construction, energy, information technology, or util-
24 ities 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
25 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
11 industry or sector partnership involved;

12 (2) a description of the targeted infrastructure
13 industry served by the grant, and a description of
14 how such industry was identified in accordance with
15 subsection (c);

16 (3) a description of the workers that will be tar-
17 geted or recruited by the partnership, including an
18 analysis of the existing labor market, a description
19 of potential barriers to employment for targeted
20 workers, and a description of strategies that will be
21 employed to help workers overcome such barriers;

22 (4) a description of the local, State, or federally
23 funded infrastructure projects on which the eligible
24 entity anticipates engaging partners;

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
25 other than this Act, that will be leveraged in support

1 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
17 infrastructure industry, such as multiple businesses,
18 labor organizations, local boards, and education and
19 training providers, including providers of career and
20 technical education, and regularly convening the
21 stakeholders in a collaborative structure that sup-
22 ports the sharing of information, ideas, and chal-
23 lenges common to the targeted infrastructure indus-
24 try.

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-
25 ties to the State agency carrying out the State pro-

1 gram under the Wagner-Peyser Act (29 U.S.C. 49
2 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
10 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
13 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
18 partnership as the fiscal agent for the grant funds;
19 and

20 (2) carry out activities described in subsections
21 (b) (as applicable), (c), and (d) to achieve the stra-
22 tegic objectives identified in the entity’s application
23 under section 5(b)(5), in a manner that integrates
24 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
25 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 Gov-
17 ernor of the State that the eligible entity serves, that—

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.**

15 There is authorized to be appropriated \$350,000,000
16 to carry out this Act through fiscal year 2023.

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