

115TH CONGRESS
2D SESSION

S. 3784

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

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

A BILL

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

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 “Investing in Tomor-
5 row’s Workforce Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) In 2014, the United States spent just 0.1
9 percent of the Nation’s Gross Domestic Product on
10 labor market policies, less than half of what the

1 United States spent on labor market policies 30
2 years ago.

3 (2) The number of workers receiving federally
4 supported training has declined in the past 3 dec-
5 ades as advances in technology have simultaneously
6 shifted labor market demand over time.

7 (3) As much as 47 percent of all jobs in the
8 United States are at risk of being replaced by auto-
9 mation technology, and job losses from automation
10 are more likely to impact workers making less than
11 \$40,000 annually.

12 (4) Strong Federal investment in expanding
13 training services for workers whose jobs may be lost
14 due to automation could prepare the United States
15 workforce to better adapt to changes in the labor
16 market and enter into skilled positions in techno-
17 logically oriented occupations and industries.

18 (5) A focus on preparing the workforce of the
19 United States for jobs that utilize advanced tech-
20 nologies could grow wages, increase economic pro-
21 ductivity, and boost the competitiveness of the
22 United States.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) AUTOMATION.—The term “automation”
2 means a device, process, or system that functions
3 without continuous input from an operator, includ-
4 ing—

5 (A) advanced technologies, such as—

6 (i) data collection, classification proc-
7 essing, and analytics; and

8 (ii) 3-D printing, digital design and
9 simulation, and digital manufacturing;

10 (B) robotics, including collaborative robot-
11 ics, and worker augmentation technology;

12 (C) autonomous vehicle technology; or

13 (D) autonomous machinery technology.

14 (2) DISLOCATED WORKER.—The term “dis-
15 located worker” has the meaning given the term in
16 section 3 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3102).

18 (3) IN-DEMAND INDUSTRY SECTOR OR OCCUPA-
19 TION.—The term “in-demand industry sector or oc-
20 cupation” has the meaning given the term in section
21 3 of that Act.

22 (4) INTEGRATED EDUCATION AND TRAINING.—
23 The term “integrated education and training” has
24 the meaning given the term in section 3 of that Act.

1 (5) ELIGIBLE PARTNERSHIP.—The term “eligi-
2 ble partnership” means an industry or sector part-
3 nership, as defined in section 3 of that Act, except
4 that—

5 (A) for purposes of applying paragraph
6 (26)(A)(iii) of that section, the term “institu-
7 tion of higher education” has the meaning given
8 the term in section 101 of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1001); and

10 (B) the partnership shall include rep-
11 resentatives of—

12 (i) a State workforce development
13 board or a local workforce development
14 board; and

15 (ii) an economic development organi-
16 zation.

17 (6) LOCAL AND STATE WORKFORCE DEVELOP-
18 MENT BOARDS.—The terms “local workforce devel-
19 opment board” and “State workforce development
20 board” have the meanings given the terms in section
21 3 of the Workforce Innovation and Opportunity Act
22 (29 U.S.C. 3102).

23 (7) SECRETARY.—The term “Secretary” means
24 the Secretary of Labor.

1 (8) TRAINING SERVICES.—The term “training
2 services” means training services described in sec-
3 tion 134(c)(3)(D) of that Act (29 U.S.C.
4 3174(c)(3)(D)).

5 **SEC. 4. GAO STUDY ON BARRIERS TO AND OPPORTUNITIES**
6 **FOR RETRAINING WORKERS.**

7 (a) STUDY.—

8 (1) IN GENERAL.—The Comptroller General of
9 the United States shall conduct a study of the bar-
10 riers to providing, and opportunities for improving,
11 training for workers in industries that have, or are
12 likely to have, high rates of job loss due to automa-
13 tion.

14 (2) CONTENTS.—In conducting the study, the
15 Comptroller General shall study—

16 (A) considerations impacting, and strate-
17 gies to improve data collection with respect to,
18 the workforce in industries with high rates of
19 job loss or a high likelihood of automation in
20 the United States, including considerations and
21 data collection strategies concerning—

22 (i) industries and occupations most
23 likely to be impacted by automation, in-
24 cluding—

1 (I) the geographical location of
 2 those industries and occupations;

3 (II) the annual average wages of
 4 those occupations; and

5 (III) demographic data on the
 6 race, gender, and age of workers in
 7 those industries and occupations;

8 (ii) employer-based training practices
 9 in those industries and occupations;

10 (iii) the frequency with which employ-
 11 ers provide worker training to address
 12 skills needs and react to changes in the
 13 labor market; and

14 (iv) projected job losses;

15 (B) considerations impacting, and strate-
 16 gies to improve data collection with respect to,
 17 the workforce in in-demand industry sectors
 18 and occupations in the United States, such as
 19 advanced manufacturing, information tech-
 20 nology, and health care, including consider-
 21 ations and data collection strategies con-
 22 cerning—

23 (i) industry sectors and occupations
 24 that may emerge or become in-demand in-

dustry sectors or occupations as a result of
automation, including—

(I) the geographical location of
those industry sectors and occupa-
tions;

(II) the average annual wages of
those occupations; and

(III) demographic data on the
race, gender, and age of workers in
those occupations;

(ii) the skills and education needed to
fill the positions in those industries;

(iii) employer-based training practices
in those industry sectors; and

(iv) projected job gains;

(C) barriers to, and opportunities for, re-
training workers in industries that have a high
likelihood of being impacted by automation;

(D) the impact of the geographical location
of workers and their access to transportation on
the ability of the workers to access job training
and related higher-skilled positions;

(E) the impact of workers' access to other
benefits and services, including child care, paid
sick leave, paid family and medical leave, or a

1 retirement plan, on the ability of the workers to
 2 access job training and related higher-skilled
 3 positions; and

4 (F) how reduced Federal funding for job
 5 training programs has impacted the ability of
 6 State and local governments, employers, and
 7 communities to respond to changes in the labor
 8 market, including rapidly evolving technologies.

9 (b) REPORT.—On completion of the study required
 10 by subsection (a), the Comptroller General of the United
 11 States shall prepare and submit to the appropriate com-
 12 mittees of Congress a report concerning the results of the
 13 study.

14 **SEC. 5. GRANTS TO IMPROVE TRAINING FOR WORKERS IM-**
 15 **PACTED BY AUTOMATION.**

16 (a) GRANTS AUTHORIZED.—

17 (1) IN GENERAL.—From the amounts appro-
 18 priated under subsection (g), the Secretary of Labor
 19 shall award grants, on a competitive basis, to eligible
 20 partnerships to support demonstration and pilot
 21 projects relating to the training needs of workers
 22 who are, or are likely to become, dislocated workers
 23 as a result of automation.

24 (2) DURATION.—A grant awarded under this
 25 section shall be for a period not to exceed 3 years.

1 (b) APPLICATIONS.—

2 (1) IN GENERAL.—To be eligible to receive a
3 grant under this section, an eligible partnership shall
4 submit an application to the Secretary at such time,
5 in such manner, and containing such information as
6 the Secretary shall reasonably require.

7 (2) CONTENTS.—Each application submitted
8 under paragraph (1) shall include a description of
9 the demonstration or pilot project to be completed
10 with the grant funds, which description shall in-
11 clude—

12 (A) a description of the members of the el-
13 igible partnership who will be involved in the
14 demonstration or pilot program and the services
15 each member will provide;

16 (B) a description of the training services
17 that will be available to individuals participating
18 in the demonstration or pilot project, which
19 may include—

20 (i) a plan to train dislocated workers
21 from industries likely to be impacted by
22 automation and transition the workers into
23 regionally in-demand industry sectors or
24 occupations; and

1 (ii) a plan to partner with local busi-
2 nesses to retrain, upskill, and re-deploy
3 workers within an industry as an alter-
4 native to layoffs;

5 (C) a plan to provide workers with tech-
6 nology-based skills training, which may include
7 training to provide skills related to coding, sys-
8 tems engineering, or information technology se-
9 curity, in addition to other skills; and

10 (D) a description of the goals that the eli-
11 gible partnership intends to achieve to upskill
12 workers and prepare them for in-demand indus-
13 try sectors or occupations.

14 (c) PRIORITIES.—In awarding grants under this sec-
15 tion, the Secretary shall give priority to—

16 (1) eligible partnerships that are located in an
17 area with a high concentration of—

18 (A) industries with a higher likelihood of
19 being impacted by automation; or

20 (B) industries included in in-demand in-
21 dustry sectors, as determined under subpara-
22 graphs (A)(i) and (B) of section 3(23) of the
23 Workforce Innovation and Opportunity Act (29
24 U.S.C. 3102(23));

25 (2) eligible partnerships—

1 (A) with a plan to provide incumbent
2 worker training—

3 (i) to assist workers in obtaining the
4 skills necessary to retain employment or
5 avert layoffs; or

6 (ii) that allows a worker working for
7 an employer to acquire new skills that
8 allow the worker to obtain a higher-skilled
9 or higher-paid position with such employer;
10 and

11 (B) that partner with local employers that
12 intend to backfill the pre-training positions of
13 the incumbent workers by hiring new workers
14 to fill those positions;

15 (3) eligible partnerships that will provide work-
16 ers with a transportation stipend, paid sick leave,
17 paid family and medical leave, access to child care
18 services, or other employment benefits; or

19 (4) eligible partnerships with a plan to develop
20 a shared training curriculum that can be used across
21 local and regional networks of employers and train-
22 ing providers.

23 (d) USE OF FUNDS.—An eligible partnership that re-
24 ceives a grant under this section shall use the grant funds
25 for 1 or more of the following:

1 (1) Providing training services under the dem-
2 onstration or pilot project, which may include train-
3 ing services that prepare workers for in-demand in-
4 dustry sectors or occupations.

5 (2) Providing assistance for employers in devel-
6 oping a staff position for an individual who will be
7 responsible for supporting training services provided
8 under the grant.

9 (3) Purchasing equipment or technology nec-
10 essary for training services provided under para-
11 graph (1).

12 (4) Providing job search and other transitional
13 assistance to workers in industries with high rates of
14 job loss.

15 (5) Providing a training stipend to workers for
16 training services.

17 (6) Providing integrated education and train-
18 ing.

19 (e) REPORT.—Not later than 1 year after an eligible
20 partnership's completion of a demonstration or pilot
21 project supported under this section, the eligible partner-
22 ship shall prepare and submit to the Secretary a report
23 regarding—

24 (1) the number of workers who received train-
25 ing services through the demonstration or pilot

1 project, disaggregated by type of training service
2 and the age, gender, and race of the workers;

3 (2) the number of such workers who success-
4 fully transitioned into a new position following com-
5 pletion of the training services;

6 (3) the number of individuals who successfully
7 transitioned into an in-demand industry sector or oc-
8 cupation following completion of the training serv-
9 ices;

10 (4) annual earnings data for individuals who
11 have completed training services through the dem-
12 onstration or pilot project;

13 (5) the percentage of individuals described in
14 paragraph (4) who are in education or training ac-
15 tivities, or in employment, during the second quarter
16 after exit from the training services;

17 (6) the percentage of individuals described in
18 paragraph (4) who are in education or training ac-
19 tivities, or in employment, during the fourth quarter
20 after exit from the training services; and

21 (7) any practices used by the partnership that
22 should be considered best practices with respect to
23 training workers in industries that have, or are ex-
24 pected to have, high rates of job loss as a result of
25 automation.

1 (f) GENERAL REQUIREMENTS.—An eligible partner-
 2 ship that receives a grant under this section shall use the
 3 grant funds in a manner that is consistent with the labor
 4 standards and protections described in section 181 of the
 5 Workforce Innovation and Opportunity Act (29 U.S.C.
 6 3241) and nondiscrimination provisions described in sec-
 7 tion 188 of such Act (29 U.S.C. 3248).

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There
 9 are authorized to be appropriated to carry out this section
 10 such sums as may be necessary for the first 5 full fiscal
 11 years after the date of enactment of this Act.

12 **SEC. 6. EXPANSION OF WORKER TRAINING SERVICES.**

13 (a) ADULT AND DISLOCATED WORKER EMPLOY-
 14 MENT AND TRAINING.—Section 134(d)(1)(A) of the
 15 Workforce Innovation and Opportunity Act (29 U.S.C.
 16 3174(d)(1)(A)) is amended—

17 (1) in clause (xi), by striking “and” at the end;

18 (2) in clause (xii), by striking the period and in-
 19 serting “; and”; and

20 (3) by adding at the end the following:

21 “(xiii) training programs for individ-
 22 uals who are, or are likely to become, dis-
 23 located workers as a result of automation,
 24 including activities that prepare the indi-

1 viduals for occupations in the technology
2 sector.”.

3 (b) NATIONAL DISLOCATED WORKER GRANTS.—Sec-
4 tion 170 of the Workforce Innovation and Opportunity Act
5 (29 U.S.C. 3225) is amended—

6 (1) in subsection (b)(1)(A), by inserting “ad-
7 vances in automation technology,” before “plant clo-
8 sures,”; and

9 (2) by adding at the end the following:

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—In ad-
11 dition to any funds reserved under section 132(a)(2)(A)
12 to carry out this section, there are authorized to be appro-
13 priated to carry out this section \$40,000,000 for each of
14 fiscal years 2018 through 2020.”.

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