

116TH CONGRESS
1ST SESSION

S. 2659

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2019

Mr. DURBIN (for himself, Mr. JONES, Mrs. FEINSTEIN, and Ms. CORTEZ MASTO) 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 2019”.

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 203 of that
25 Act (29 U.S.C. 3272).

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, in addi-
11 tion to the representatives described in clauses
12 (i) through (iii) of paragraph (26)(A) of that
13 section, representatives of—

14 (i) a State workforce development
15 board or a local workforce development
16 board; and

17 (ii) an economic development organi-
18 zation.

19 (6) LOCAL AND STATE WORKFORCE DEVELOP-
20 MENT BOARDS.—The terms “local workforce devel-
21 opment board” and “State workforce development
22 board” have the meanings given the terms “local
23 board” and “State board”, respectively, in section 3
24 of the Workforce Innovation and Opportunity Act
25 (29 U.S.C. 3102).

1 (7) SECRETARY.—The term “Secretary” means
2 the Secretary of Labor.

3 (8) TRAINING SERVICES.—The term “training
4 services” means training services described in sec-
5 tion 134(c)(3)(D) of that Act (29 U.S.C.
6 3174(c)(3)(D)).

7 **SEC. 4. GAO STUDY ON BARRIERS TO AND OPPORTUNITIES**
8 **FOR RETRAINING WORKERS.**

9 (a) STUDY.—

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

17 (2) CONTENTS.—In conducting the study, the
18 Comptroller General shall study—

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

- 1 (i) industries and occupations most
2 likely to be impacted by automation, in-
3 cluding—
- 4 (I) the geographical location of
5 those industries and occupations;
- 6 (II) the annual average wages of
7 those occupations; and
- 8 (III) demographic data on the
9 race, gender, and age of workers in
10 those industries and occupations;
- 11 (ii) employer-based training practices
12 in those industries and occupations;
- 13 (iii) the frequency with which employ-
14 ers provide worker training to address
15 skills needs and react to changes in the
16 labor market;
- 17 (iv) projected job losses; and
- 18 (v) labor organization membership
19 rates in those industries and occupations;
- 20 (B) considerations impacting, and strate-
21 gies to improve data collection with respect to,
22 the workforce in in-demand industry sectors
23 and occupations in the United States, such as
24 advanced manufacturing, information tech-
25 nology, and health care, including consider-

1 ations and data collection strategies con-
2 cerning—

3 (i) industry sectors and occupations
4 that may emerge or become in-demand in-
5 dustry sectors or occupations as a result of
6 automation, including—

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

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

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

15 (ii) the skills and education needed to
16 fill the positions in those industry sectors;

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

19 (iv) projected job gains; and

20 (v) labor organization membership
21 rates in those industries and occupations;

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

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

5 (E) the impact of workers' access to other
6 benefits and services, including child care, paid
7 sick leave, paid family and medical leave, or a
8 retirement plan, on the ability of the workers to
9 access job training and related higher-skilled
10 positions; and

11 (F) how reduced Federal funding for job
12 training programs has impacted the ability of
13 State and local governments, employers, labor
14 organizations, and communities to respond to
15 changes in the labor market, including rapidly
16 evolving technologies.

17 (b) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Comptroller General of the
19 United States shall prepare and submit to the Secretary
20 of Labor and the appropriate committees of Congress a
21 report concerning the results of the study.

22 **SEC. 5. GRANTS TO IMPROVE TRAINING FOR WORKERS IM-**
23 **PACTED BY AUTOMATION.**

24 (a) GRANTS AUTHORIZED.—

1 (1) IN GENERAL.—From the amounts appro-
2 priated under subsection (g) and beginning not later
3 than 1 year after receiving the report by the Comp-
4 troller General of the United States under section
5 4(b), the Secretary of Labor shall award grants, on
6 a competitive basis, to eligible partnerships to sup-
7 port demonstration and pilot projects relating to the
8 training needs of workers who are, or are likely to
9 become, dislocated workers as a result of automa-
10 tion.

11 (2) DURATION.—A grant awarded under this
12 section shall be for a period not to exceed 4 years.

13 (3) USE OF REPORT.—The Secretary shall use
14 the report prepared by the Comptroller General
15 under section 4(b) to inform the grant program car-
16 ried out under this section.

17 (b) APPLICATIONS.—

18 (1) IN GENERAL.—To be eligible to receive a
19 grant under this section, an eligible partnership shall
20 submit an application to the Secretary at such time,
21 in such manner, and containing such information as
22 the Secretary shall reasonably require.

23 (2) CONTENTS.—Each application submitted
24 under paragraph (1) shall include a description of
25 the demonstration or pilot project to be completed

1 with the grant funds, which description shall in-
2 clude—

3 (A) a description of the members of the el-
4 igible partnership who will be involved in the
5 demonstration or pilot program and the services
6 each member will provide;

7 (B) a description of the training services
8 that will be available to individuals participating
9 in the demonstration or pilot project, which
10 may include—

11 (i) a plan to train dislocated workers
12 from industries likely to be impacted by
13 automation and transition the workers into
14 regionally in-demand industry sectors or
15 occupations; and

16 (ii) a plan to partner with local busi-
17 nesses to retrain, upskill, and re-deploy
18 workers within an industry as an alter-
19 native to layoffs;

20 (C) a plan to provide workers with tech-
21 nology-based skills training, which may include
22 training to provide skills related to coding, sys-
23 tems engineering, or information technology se-
24 curity, in addition to other skills; and

1 (D) a description of the goals that the eli-
2 gible partnership intends to achieve to upskill
3 workers and prepare them for in-demand indus-
4 try sectors or occupations.

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

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

9 (A) industries with a higher likelihood of
10 being impacted by automation; or

11 (B) industries included in in-demand in-
12 dustry sectors, as determined under subpara-
13 graphs (A)(i) and (B) of section 3(23) of the
14 Workforce Innovation and Opportunity Act (29
15 U.S.C. 3102(23));

16 (2) eligible partnerships—

17 (A) with a plan to provide incumbent
18 worker training—

19 (i) to assist workers in obtaining the
20 skills necessary to retain employment or
21 avert layoffs; or

22 (ii) that allows a worker working for
23 an employer to acquire new skills that
24 allow the worker to obtain a higher-skilled

1 or higher-paid position with such employer;

2 and

3 (B) that partner with local employers that
4 intend to backfill the pre-training positions of
5 the incumbent workers by hiring new workers
6 to fill those positions;

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

11 (4) eligible partnerships with a plan to develop
12 a shared training curriculum that can be used across
13 local and regional networks of employers and train-
14 ing providers.

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

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

22 (2) Providing assistance for employers in devel-
23 oping a staff position for an individual who will be
24 responsible for supporting training services provided
25 under the grant.

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

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

7 (5) Providing a training stipend to workers for
8 training services.

9 (6) Providing integrated education and train-
10 ing.

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

16 (1) the number of workers who received train-
17 ing services through the demonstration or pilot
18 project, disaggregated by type of training service
19 and the age, gender, and race of the workers;

20 (2) the number of such workers who success-
21 fully transitioned into a new position following com-
22 pletion of the training services;

23 (3) the number of individuals who successfully
24 transitioned into an in-demand industry sector or oc-

1 cupation following completion of the training serv-
2 ices;

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

6 (5) the percentage of individuals described in
7 paragraph (4) who are in education or training ac-
8 tivities, or in employment, during the second quarter
9 after exit from the training services;

10 (6) the percentage of individuals described in
11 paragraph (4) who are in education or training ac-
12 tivities, or in employment, during the fourth quarter
13 after exit from the training services; and

14 (7) any practices used by the partnership that
15 should be considered best practices with respect to
16 training workers in industries that have, or are ex-
17 pected to have, high rates of job loss as a result of
18 automation.

19 (f) GENERAL REQUIREMENTS.—An eligible partner-
20 ship that receives a grant under this section shall use the
21 grant funds in a manner that is consistent with the labor
22 standards and protections described in section 181 of the
23 Workforce Innovation and Opportunity Act (29 U.S.C.
24 3241) and nondiscrimination provisions described in sec-
25 tion 188 of such Act (29 U.S.C. 3248).

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as may be necessary for the first 5 full fiscal
4 years after the date of submittal of the report under sec-
5 tion 4(b).

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

7 (a) ADULT AND DISLOCATED WORKER EMPLOY-
8 MENT AND TRAINING.—Section 134(d)(1)(A) of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3174(d)(1)(A)) is amended—

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

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

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

15 “(xiii) training programs for individ-
16 uals who are, or are likely to become, dis-
17 located workers as a result of automation,
18 including activities that prepare the indi-
19 viduals for occupations in the technology
20 sector.”.

21 (b) NATIONAL DISLOCATED WORKER GRANTS.—Sec-
22 tion 170 of the Workforce Innovation and Opportunity Act
23 (29 U.S.C. 3225) is amended—

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

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

5 “(e) AUTHORIZATION OF APPROPRIATIONS.—In ad-
6 dition to any funds reserved under section 132(a)(2)(A)
7 to carry out this section, there are authorized to be appro-
8 priated to carry out this section \$40,000,000 for each of
9 fiscal years 2020 through 2024.”.

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