

116TH CONGRESS  
1ST SESSION

# S. 431

To promote registered apprenticeships and on-the-job training for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of eligible partnerships.

---

## IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2019

Ms. BALDWIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To promote registered apprenticeships and on-the-job training for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of eligible partnerships.

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 “Promoting Apprentice-  
5 ships through Regional Training Networks for Employers’  
6 Required Skills Act of 2019” or the “PARTNERS Act”.

1 **SEC. 2. PURPOSE.**

2       The purpose of this Act is to promote registered ap-  
3 prenticeships and on-the-job training for small and me-  
4 dium-sized businesses within in-demand industry sectors,  
5 through the establishment and support of eligible partner-  
6 ships.

7 **SEC. 3. DEFINITIONS.**

8       In this Act:

9           (1) **ELIGIBLE PARTNERSHIP.**—The term “eligi-  
10 ble partnership” means an industry or sector part-  
11 nership that submits and obtains approval of an ap-  
12 plication consistent with section 6(b).

13           (2) **IN-DEMAND INDUSTRY SECTOR.**—The term  
14 “in-demand industry sector” means a sector de-  
15 scribed in subparagraphs (A)(i) and (B) of section  
16 3(23) of the Workforce Innovation and Opportunity  
17 Act (29 U.S.C. 3102(23)).

18           (3) **LOCAL OR REGIONAL.**—The term “local or  
19 regional”, used with respect to an entity, means that  
20 the entity provides services in, respectively, a local  
21 area or region.

22           (4) **REGISTERED APPRENTICESHIP.**—The term  
23 “registered apprenticeship” means an apprenticeship  
24 registered under the Act of August 16, 1937 (com-  
25 monly known as the “National Apprenticeship Act”;  
26 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

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

3           (6) WORKFORCE TERMS.—The terms “Gov-  
4           ernor”, “individual with a barrier to employment”,  
5           “industry or sector partnership”, “local area”, “local  
6           board”, “on-the-job training”, “outlying area”, “rec-  
7           ognized postsecondary credential”, “region”,  
8           “State”, and “supportive services”, used with re-  
9           spect to activities supported under this Act, have the  
10          meanings given the terms in section 3 of the Work-  
11          force Innovation and Opportunity Act (29 U.S.C.  
12          3102).

13 **SEC. 4. AVAILABILITY OF FUNDS.**

14          From funds paid into the general fund of the Treas-  
15          ury and available under section 286(s)(2) of the Immigra-  
16          tion and Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-  
17          retary shall carry out this Act.

18 **SEC. 5. ALLOTMENTS TO STATES.**

19          (a) RESERVATION.—Of the amounts available for this  
20          Act under section 4, the Secretary may reserve—

21                 (1) not more than 5 percent of those amounts  
22                 for the costs of technical assistance and Federal ad-  
23                 ministration of this Act;

1           (2) not more than 2 percent of those amounts  
2 for the costs of evaluations conducted under section  
3 8(b); and

4           (3) not more than  $\frac{1}{4}$  of 1 percent of such  
5 amounts to provide assistance to the outlying areas.

6 (b) ALLOTMENTS.—

7           (1) IN GENERAL.—Of the amounts available for  
8 this Act under section 4 that remain after the Sec-  
9 retary makes the reservations under subsection (a),  
10 the Secretary shall, for the purpose of assisting  
11 (which may include assistance in establishing ex-  
12 panded) local or regional eligible partnerships to  
13 support registered apprenticeship and on-the-job  
14 training programs under this Act, make allotments  
15 to eligible States in accordance with clauses (ii)  
16 through (v) of section 132(b)(1)(B) of the Work-  
17 force Innovation and Opportunity Act (29 U.S.C.  
18 3162(b)(1)(B)), subject to paragraph (2).

19           (2) APPLICATION.—For purposes of applying  
20 the clauses described in paragraph (1), under para-  
21 graph (1), the Secretary—

22                   (A) shall not apply subclauses (I) and (III)  
23 of clause (iv) with respect to the first fiscal year  
24 after the date of enactment of this Act;

1 (B) shall apply clause (iv)(II) by sub-  
2 stituting “0.5 percent of the remaining amounts  
3 described in paragraph (1)” for the total de-  
4 scribed in that clause;

5 (C) shall not apply clause (iv)(IV);

6 (D) shall apply clause (v)(II) by sub-  
7 stituting “The term ‘allotment percentage’,  
8 used with respect to the second full fiscal year  
9 after the date of enactment of this Act, or a  
10 subsequent fiscal year, means a percentage of  
11 the remaining amounts described in paragraph  
12 (1) that is received through an allotment made  
13 under this subsection for the fiscal year.” for  
14 the two sentences in that clause; and

15 (E) shall apply clause (v)(III) by sub-  
16 stituting “a registered apprenticeship and on-  
17 the-job training program carried out under this  
18 Act” for “a program of workforce investment  
19 activities carried out under this subtitle”.

20 (3) USE OF UNALLOTTED FUNDS.—If a State  
21 fails to meet the requirements for an allotment  
22 under this subsection, the Secretary may allot funds  
23 that are not allotted under paragraphs (1) and (2)  
24 to eligible States under a formula based on the for-

1 mula specified in section 132(c) of the Workforce In-  
2 novation and Opportunity Act (29 U.S.C. 3173(c)).

3 (4) DEFINITION.—In this subsection, the term  
4 “eligible State” means a State that meets the re-  
5 quirements of section 102 or 103 of the Workforce  
6 Innovation and Opportunity Act (29 U.S.C. 3112,  
7 3113) and subsection (c).

8 (c) STATE ELIGIBILITY.—To be eligible to receive an  
9 allotment under subsection (b), a State shall submit an  
10 application to the Secretary, at such time, in such manner,  
11 and containing a description of the activities to be carried  
12 out with the grant funds. At a minimum, the application  
13 shall include information on—

14 (1) the industry or sector of the local or re-  
15 gional industry or sector partnerships that will be  
16 supported, the lead partners for the partnerships,  
17 and how the partnerships will work to engage small  
18 and medium-sized businesses, as applicable, in the  
19 activities of the partnerships;

20 (2) the in-demand industry sectors that will be  
21 served, including how such industry sectors were  
22 identified, and how the activities of the partnerships  
23 will align with State, regional, and local plans as re-  
24 quired under title I of the Workforce Innovation and  
25 Opportunity Act (29 U.S.C. 3111 et seq.);

1           (3) the registered apprenticeship and on-the-job  
2 training programs to be supported through the part-  
3 nerships;

4           (4) the populations that will receive services, in-  
5 cluding individuals with barriers to employment and  
6 populations that were historically underrepresented  
7 in the industry sectors to be served through the  
8 partnerships;

9           (5) the services, including business engagement,  
10 classroom instruction, and supportive services (in-  
11 cluding at least 6 months of post-employment sup-  
12 portive services), that will be supported through the  
13 grant funds;

14           (6) the recognized postsecondary credentials  
15 (beyond a certificate of completion) that workers will  
16 obtain through participation in the registered ap-  
17 prenticeship and on-the-job training program, and  
18 the quality of the program that leads to the creden-  
19 tials;

20           (7) levels of performance to be achieved on the  
21 performance indicators described in section 8, to  
22 measure progress towards expanding registered ap-  
23 prenticeships and on-the-job training; and

24           (8) how the partnerships will leverage addi-  
25 tional resources, including funding provided under

1 title I of the Workforce Innovation and Opportunity  
2 Act (29 U.S.C. 3111 et seq.) and non-Federal re-  
3 sources, to support the activities carried out under  
4 this Act.

5 (d) REVIEW OF APPLICATIONS.—The Secretary shall  
6 review applications submitted under subsection (c) in con-  
7 sultation with the Secretary of Education and the Sec-  
8 retary of Health and Human Services.

9 **SEC. 6. GRANTS TO PARTNERSHIPS.**

10 (a) GRANTS.—

11 (1) IN GENERAL.—The Governor of a State  
12 that receives an allotment under section 5 shall use  
13 the funds made available through the allotment and  
14 not reserved under subsection (d) to award grants to  
15 industry or sector partnerships that seek to become  
16 eligible partnerships. The Governor shall award the  
17 grants for the purpose of assisting (which may in-  
18 clude establishing expanded) local or regional indus-  
19 try or sector partnerships that are identified in the  
20 application submitted under section 5(c), to carry  
21 out activities described in section 7.

22 (2) PERIOD AND AMOUNT OF GRANT.—A State  
23 may make a grant under this section for a period of  
24 3 years, and in an amount of not more than  
25 \$500,000.

1           (3) AVAILABILITY OF FUNDS.—The Governor of  
2           a State that receives an allotment under section 5  
3           for a fiscal year may use the funds made available  
4           through the allotment during that year or the 2 sub-  
5           sequent fiscal years.

6           (b) ELIGIBILITY.—To be eligible to receive a grant  
7           under this section, an industry or sector partnership de-  
8           scribed in subsection (a)(1) shall—

9           (1) submit an application to the State at such  
10          time, in such manner, and containing such informa-  
11          tion as the State may require; and

12          (2) designate a partner in the industry or sector  
13          partnership, to serve as the fiscal agent for purposes  
14          of the grant.

15          (c) AWARDS OF GRANTS.—

16          (1) PARTICIPATION IN MULTIPLE ELIGIBLE  
17          PARTNERSHIPS.—Subject to paragraph (2), a State  
18          may award grants under this section in a way that  
19          results in an entity being represented in more than  
20          one partnership that receives such a grant.

21          (2) GEOGRAPHIC DIVERSITY.—In making the  
22          grants, a State shall ensure that there is geographic  
23          diversity in the areas in which activities will be car-  
24          ried out under the grants.

1 (d) ADMINISTRATION.—The State may reserve not  
2 more than 5 percent of the amount of an allotment under  
3 section 5 for the administration of the grants awarded  
4 under this section.

5 **SEC. 7. USE OF FUNDS.**

6 (a) IN GENERAL.—An eligible partnership that re-  
7 ceives a grant under section 6 shall use the grant funds  
8 to support a registered apprenticeship and on-the-job  
9 training program. The eligible partnership shall use the  
10 grant funds to support the activities described in sub-  
11 sections (b) and (c) and such other strategies as may be  
12 necessary to support the development and implementation  
13 of registered apprenticeship and on-the-job training pro-  
14 grams, and participant retention in and completion of  
15 those programs. The partnership may use the grant funds  
16 to establish an expanded eligible partnership.

17 (b) BUSINESS ENGAGEMENT.—The eligible partner-  
18 ship shall use grant funds to provide services to engage  
19 businesses in a registered apprenticeship or on-the-job  
20 training program, which may include assisting a small or  
21 medium-sized business with—

22 (1) the navigation of the registration process  
23 for a sponsor of a registered apprenticeship pro-  
24 gram;

1           (2) the connection of the business with an edu-  
2           cation provider to develop classroom instruction to  
3           complement on-the-job learning;

4           (3) the development of a curriculum for a reg-  
5           istered apprenticeship or on-the-job training pro-  
6           gram;

7           (4) the employment of workers in a registered  
8           apprenticeship or on-the-job training program for a  
9           transitional period before the business hires an indi-  
10          vidual for continuing employment;

11          (5) the provision of training to managers and  
12          front-line workers to serve as trainers or mentors to  
13          workers in a registered apprenticeship or on-the-job  
14          training program;

15          (6) the provision of career awareness activities;  
16          and

17          (7) the recruitment of individuals to participate  
18          in a registered apprenticeship or on-the-job training  
19          program from individuals receiving additional work-  
20          force and human services, including—

21                 (A) workers in programs under the Work-  
22                 force Innovation and Opportunity Act (29  
23                 U.S.C. 3101 et seq.);

24                 (B) recipients of assistance through the  
25                 supplemental nutrition assistance program es-

1           tablished under the Food and Nutrition Act of  
2           2008 (7 U.S.C. 2011 et seq.); and

3           (C) recipients of assistance through the  
4           program of block grants to States for tem-  
5           porary assistance for needy families established  
6           under part A of title IV of the Social Security  
7           Act (42 U.S.C. 601 et seq.).

8           (c) SUPPORTIVE SERVICES FOR WORKERS.—

9           (1) IN GENERAL.—The eligible partnership  
10          shall use grant funds to provide supportive services  
11          for workers to assure their success in registered ap-  
12          prenticeship or on-the-job training programs, which  
13          may include—

14                (A) connection of individuals with adult  
15                basic education;

16                (B) connection of individuals with a pre-  
17                apprenticeship program or other preparation for  
18                a registered apprenticeship or on-the-job train-  
19                ing program;

20                (C) provision of additional mentorship and  
21                retention supports for individuals during pre-  
22                apprenticeship or other preparation for reg-  
23                istered apprenticeship or on-the-job training  
24                programs, and during periods of employment  
25                for such programs;

1 (D) provision of tools, work attire, and  
2 other required items necessary to start employ-  
3 ment; and

4 (E) provision of transportation, child care  
5 services, or other supportive services.

6 (2) LENGTH OF SERVICES.—Each eligible part-  
7 nership shall provide supportive services for workers  
8 for not less than 12 months after the date of place-  
9 ment of an individual in a registered apprenticeship  
10 or on-the-job training program. That 12-month pe-  
11 riod shall include a period of pre-apprenticeship or  
12 other preparation for the program, a transitional pe-  
13 riod of employment as described in subsection  
14 (b)(4), and a period of continuing employment.

15 **SEC. 8. PERFORMANCE AND ACCOUNTABILITY.**

16 (a) LOCAL REPORTS.—Not later than 1 year after  
17 receiving a grant under section 6, and annually thereafter,  
18 each eligible partnership in a State shall conduct an eval-  
19 uation and submit to the State a local report containing  
20 information on—

21 (1) levels of performance achieved by the eligi-  
22 ble partnership with respect to the performance indi-  
23 cators under section 116(b)(2)(A) of the Workforce  
24 Innovation and Opportunity Act (29 U.S.C.  
25 3141(b)(2)(A))—

1 (A) for all workers (including apprentices)  
2 in the program involved; and

3 (B) for all such workers, disaggregated by  
4 each population specified in section 3(24) of the  
5 Workforce Innovation and Opportunity Act (29  
6 U.S.C. 3102(24)) and by race, ethnicity, sex,  
7 and age; and

8 (2) levels of performance achieved by the eligi-  
9 ble partnership with respect to the performance indi-  
10 cators under that section 116(b)(2)(A)—

11 (A) for individuals with barriers to employ-  
12 ment in the program involved; and

13 (B) for all such individuals, disaggregated  
14 by each population specified in section 3(24) of  
15 the Workforce Innovation and Opportunity Act  
16 and by race, ethnicity, sex, and age.

17 (b) STATE REPORTS.—Not later than 24 months  
18 after receiving initial local reports under subsection (a)  
19 (but in no case less than 18 months after the cor-  
20 responding grants are awarded) and annually thereafter,  
21 the State shall conduct an evaluation and submit a report  
22 to the Secretary containing—

23 (1) the information provided by the eligible  
24 partnerships through the local reports; and

1           (2) the State level of performance, aggregated  
2           across all eligible partnerships, with respect to the  
3           performance indicators described in subsection (a).

4 **SEC. 9. CONFORMING AMENDMENTS.**

5           (a) AMERICAN COMPETITIVENESS AND WORKFORCE  
6 IMPROVEMENT ACT OF 1998.—Section 414(c) of the  
7 American Competitiveness and Workforce Improvement  
8 Act of 1998 (29 U.S.C. 2916a) is repealed.

9           (b) IMMIGRATION AND NATIONALITY ACT.—Section  
10 286(s)(2) of the Immigration and Nationality Act (8  
11 U.S.C. 1356(s)(2)) is amended to read as follows:

12           “(2) USE OF FEES FOR REGISTERED APPREN-  
13 TICESHIP AND ON-THE-JOB TRAINING PROGRAMS.—  
14 50 percent of amounts deposited into the H-1B  
15 Nonimmigrant Petitioner Account shall remain  
16 available to the Secretary of Labor until expended to  
17 carry out the PARTNERS Act.”.

○