

117TH CONGRESS
2D SESSION

S. 5184

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

DECEMBER 5, 2022

Ms. BALDWIN (for herself and Mr. HICKENLOOPER) 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 2022” 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”, “on-
6 the-job training”, “outlying area”, “recognized post-
7 secondary credential”, “region”, “State”, and “sup-
8 portive services”, used with respect to activities sup-
9 ported under this Act, have the meanings given the
10 terms in section 3 of the Workforce Innovation and
11 Opportunity Act (29 U.S.C. 3102).

12 **SEC. 4. AVAILABILITY OF FUNDS.**

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

17 **SEC. 5. ALLOTMENTS TO STATES.**

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

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

23 (2) not more than 2 percent of those amounts
24 for the costs of evaluations conducted under section
25 8(b); and

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

3 (b) ALLOTMENTS.—

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

16 (2) APPLICATION.—For purposes of applying
17 the clauses described in paragraph (1), under para-
18 graph (1), the Secretary—

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

22 (B) shall apply clause (iv)(II) by sub-
23 stituting “0.5 percent of the remaining amounts
24 described in paragraph (1) (referring to the

1 paragraph (1) in the PARTNERS Act)” for the
2 total described in that clause;

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

4 (D) shall apply clause (v)(II) by sub-
5 stituting “The term ‘allotment percentage’,
6 used with respect to the second full fiscal year
7 after the date of enactment of this Act, or a
8 subsequent fiscal year, means a percentage of
9 the remaining amounts described in paragraph
10 (1) (referring to the paragraph (1) in the
11 PARTNERS Act) that is received through an
12 allotment made under this subsection for the
13 fiscal year.” for the two sentences in that
14 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 programs, and
18 the quality of the programs that lead 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 original or expanded) local or re-
19 gional industry or sector partnerships that are iden-
20 tified in the application submitted under section
21 5(c), to carry 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, in the application, a partner in
 13 the industry or sector partnership, to serve as the
 14 fiscal agent for purposes 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 a registered apprenticeship and on-the-job training pro-
 14 gram, and participant retention in and completion of that
 15 program. The partnership may use the grant funds to es-
 16 tablish an original or 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 learning through a registered appren-
4 ticeship or on-the-job learning;

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

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

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

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

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

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

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.).

10 (c) SUPPORTIVE SERVICES FOR WORKERS.—

11 (1) IN GENERAL.—The eligible partnership
12 shall use grant funds to provide supportive services
13 for workers to assure their success in a registered
14 apprenticeship or on-the-job training program, which
15 may include—

16 (A) connection of individuals with adult
17 basic education;

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

22 (C) provision of additional mentorship and
23 retention supports for individuals during pre-
24 apprenticeship or other preparation for a reg-
25 istered apprenticeship or on-the-job training

1 program, and during periods of employment for
2 such a program;

3 (D) provision of tools, work attire, and
4 other required items necessary to start such
5 employment; and

6 (E) provision of transportation, child care
7 services, or other wrap-around services.

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

17 **SEC. 8. PERFORMANCE AND ACCOUNTABILITY.**

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

23 (1) levels of performance achieved by the eligi-
24 ble partnership with respect to the performance indi-
25 cators under section 116(b)(2)(A) of the Workforce

1 Innovation and Opportunity Act (29 U.S.C.
2 3141(b)(2)(A))—

3 (A) for all workers (including apprentices)
4 in the program involved; and

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

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

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

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

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

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

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

6 **SEC. 9. CONFORMING AMENDMENTS.**

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

11 (b) IMMIGRATION AND NATIONALITY ACT.—Section
12 286(s)(2) of the Immigration and Nationality Act (8
13 U.S.C. 1356(s)(2)) is amended to read as follows:

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

○