

117TH CONGRESS  
1ST SESSION

# H. R. 2790

To establish jobs programs for long-term unemployed workers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2021

Mr. LEVIN of Michigan (for himself and Mr. KILMER) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To establish jobs programs for long-term unemployed workers, and for other purposes.

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 “Long-Term Unemploy-  
5 ment Elimination Act of 2021”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to provide job opportuni-  
8 ties for every long-term unemployed worker in the United  
9 States.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) CAREER SERVICES.—The term “career serv-  
4 ices” includes the services described in section  
5 134(c)(2)(A) of the Workforce Innovation and Op-  
6 portunity Act (29 U.S.C. 3174(c)(2)(A)).

7 (2) COVERED AREA.—The term “covered area”  
8 means the local area in which a local board is car-  
9 rying out a jobs program, or (in the circumstances  
10 described in section 4(d)) the local area in which a  
11 community-based organization is carrying out a jobs  
12 program, under this Act.

13 (3) ELIGIBLE WORKER.—The term “eligible  
14 worker” means an individual who—

15 (A) is not less than 18 years old;

16 (B) is authorized to be employed in the  
17 United States for purposes of section 274A of  
18 the Immigration and Nationality Act (8 U.S.C.  
19 1324a);

20 (C) has not been employed or a full-time  
21 student for a period of not less than 27 weeks  
22 (except as modified under section 5(e)); and

23 (D) is currently seeking employment and  
24 has been seeking employment for a period of  
25 not less than 4 weeks (except as modified under  
26 section 5(e)).

1           (4) INDIVIDUAL WITH A BARRIER TO EMPLOY-  
2           MENT.—The term “individual with a barrier to em-  
3           ployment” has the meaning given in section 3(24) of  
4           the Workforce Innovation and Opportunity Act (29  
5           U.S.C. 3102(24)), except that such term shall not  
6           include individuals who meet the terms of the defini-  
7           tion in that section solely on the basis of their status  
8           as long-term unemployed individuals.

9           (5) ON-THE-JOB TRAINING.—The term “on-the-  
10          job training” has the meaning given the term in sec-  
11          tion 3(44) of the Workforce Innovation and Oppor-  
12          tunity Act (29 U.S.C. 3102(44)), except that sub-  
13          paragraph (B) of that section shall not apply.

14          (6) PARTICIPATING EMPLOYER.—The term  
15          “participating employer” means an employer—

16                (A) that is—

17                   (i) a government agency;

18                   (ii) a nonprofit organization;

19                   (iii) operating as an employment so-  
20                   cial enterprise; or

21                   (iv) a business; and

22                (B) includes—

23                   (i) an employer at the site of employ-  
24                   ment for an eligible worker in a program  
25                   position; or

1 (ii) a community-based organization  
2 that acts as an employer of record by—

3 (I) assuming the roles and re-  
4 sponsibilities assigned to employers  
5 described in clause (i) under this Act;

6 (II) entering into an agreement  
7 with an employer described in clause  
8 (i) to set forth the terms and condi-  
9 tions for employment of an eligible  
10 worker in a program position in a jobs  
11 program in accordance with the provi-  
12 sions of this Act; and

13 (III) acting as an intermediary  
14 between eligible workers and employ-  
15 ers described in clause (i) to facilitate  
16 participation in the jobs program in-  
17 volved.

18 (7) PAYROLL TAXES.—The term “payroll  
19 taxes” means taxes under section 3111, 3221, 3301,  
20 or 3321 of the Internal Revenue Code of 1986, and  
21 any similar State or local tax imposed on employers.

22 (8) PRE-APPRENTICESHIP.—The term “pre-ap-  
23 prenticeship”, used with respect to a program,  
24 means a program that is designed to prepare indi-  
25 viduals to enter and succeed in a registered appren-

1 ticeship program and is carried out by an entity that  
2 has a documented partnership with at least one  
3 sponsor of a registered apprenticeship program.

4 (9) PROGRAM POSITION.—

5 (A) IN GENERAL.—The term “program po-  
6 sition”, used with respect to a jobs program—

7 (i) means a position—

8 (I) in a temporary job that is de-  
9 signed to lead to long-term employ-  
10 ment; and

11 (II) that is provided along with,  
12 as necessary, career services, sup-  
13 portive services, and training services  
14 to enable an individual to succeed in  
15 the job and obtain and retain long-  
16 term employment; and

17 (ii) includes—

18 (I) a position in a transitional  
19 job;

20 (II) a position in a registered ap-  
21 prenticeship program; and

22 (III) an approved national service  
23 position made available under section  
24 129 of the National and Community  
25 Service Act of 1990 (42 U.S.C.

1           12581), including a position spon-  
2           sored under subsection (i) of that sec-  
3           tion, subject to subparagraph (B).

4           (B) RULE.—

5           (i) EMPLOYERS WITH CERTAIN PRO-  
6           GRAM POSITIONS.—A participating em-  
7           ployer for an eligible worker (or an em-  
8           ployer at the site of employment for an eli-  
9           gible worker) in a program position de-  
10          scribed in subparagraph (A)(ii)(III) shall  
11          be considered to be a service sponsor, as  
12          defined in section 101 of the National and  
13          Community Service Act of 1990 (42  
14          U.S.C. 12511).

15          (ii) ELIGIBLE WORKERS IN CERTAIN  
16          PROGRAM POSITIONS.—In parity with sec-  
17          tion 101(30) of the National and Commu-  
18          nity Service Act of 1990 (42 U.S.C.  
19          12511(30)), an eligible worker in such a  
20          program position shall not be considered to  
21          be an employee of the participating em-  
22          ployer (or of an employer at the site of em-  
23          ployment for the eligible worker).

24          (10) RECOGNIZED POSTSECONDARY CREDEN-  
25          TIAL.—The term “recognized postsecondary creden-

1        tial” means such a credential as defined in section  
2        3 of the Workforce Innovation and Opportunity Act  
3        (29 U.S.C. 3102), if the provider of the program  
4        leading to the credential is identified under section  
5        122(h) of such Act (29 U.S.C. 3152(h)).

6            (11) REGISTERED APPRENTICESHIP PRO-  
7        GRAM.—The term “registered apprenticeship pro-  
8        gram” means a program registered under the Act of  
9        August 16, 1937 (commonly known as the “National  
10       Apprenticeship Act”; 50 Stat. 664, chapter 663; 29  
11       U.S.C. 50 et seq.).

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

14           (13) TRANSITIONAL JOB.—The term “transi-  
15        tional job” means a job described in section  
16        134(d)(5) of the Workforce Innovation and Oppor-  
17        tunity Act (29 U.S.C. 3174(d)(5)), without regard  
18        to the limitation described in that section on funding  
19        for such jobs.

20           (14) WIOA TERMS.—The terms “adult edu-  
21        cation and literacy activities”, “career pathway”,  
22        “community-based organization”, “customized train-  
23        ing”, “industry or sector partnership”, “in-demand  
24        industry sector or occupation”, “integrated edu-  
25        cation and training”, “local area”, “local board”,

1 “one-stop operator”, “poverty line”, “State area”,  
2 “State board”, “supportive services”, “training serv-  
3 ices”, and “veteran” have the meanings given the  
4 terms in section 3 of the Workforce Innovation and  
5 Opportunity Act (29 U.S.C. 3102).

6 (15) WORKER-OWNED ENTERPRISE.—

7 (A) IN GENERAL.—The term “worker-  
8 owned enterprise” means—

9 (i) an eligible worker-owned coopera-  
10 tive, as defined in section 1042(c)(2) of the  
11 Internal Revenue Code of 1986; or

12 (ii) an enterprise for which the major-  
13 ity of the voting stock is owned by workers  
14 employed by such enterprise.

15 (B) VOTING STOCK.—For purposes of sub-  
16 paragraph (A)(ii), the share of the voting stock  
17 owned by workers shall include stock held by an  
18 employee stock ownership plan, as defined in  
19 section 4975(e)(7) of such Code.

20 **SEC. 4. JOBS PROGRAMS FOR LONG-TERM UNEMPLOYED**  
21 **WORKERS.**

22 (a) IN GENERAL.—

23 (1) ESTABLISHMENT.—The Secretary shall es-  
24 tablish and administer a jobs initiative for eligible



1 workers, consisting of jobs programs carried out  
2 through local boards.

3 (2) PARTNERSHIPS.—A local board may enter  
4 into a partnership with one or more community-  
5 based organizations to submit an application and  
6 carry out a jobs program.

7 (3) AGREEMENTS.—In administering the initia-  
8 tive, the Secretary shall enter into 4-year agree-  
9 ments with local boards, under which the Secretary  
10 shall provide payments to local boards. Such an  
11 agreement shall specify which functions described in  
12 this Act will be carried out by the local board, by the  
13 community-based organization, and by the partner-  
14 ship.

15 (4) PAYMENTS.—The Secretary shall make  
16 such a payment in an amount that equals the eligi-  
17 ble costs incurred by the local board—

18 (A) to provide wages and compensation for  
19 program positions for eligible workers under  
20 this section, minus any employer share of the  
21 eligible costs of providing the wages and com-  
22 pensation;

23 (B) to provide career services, supportive  
24 services, and training services to eligible work-  
25 ers under this section; and

1                   (C) to administer the jobs program under  
2                   this section.

3           (b) LOCAL BOARD APPLICATION.—To be eligible to  
4 enter into an agreement under subsection (a), a local  
5 board shall submit an application to the Secretary at such  
6 time, in such manner, and containing a 4-year plan that  
7 includes such information as the Secretary may require,  
8 including—

9                   (1) the number of eligible workers that the local  
10                  board proposes to serve under the jobs program in-  
11                  volved and the estimated cost of serving that number  
12                  of workers;

13                  (2) a plan for one-stop operators to identify the  
14                  issues preventing each eligible worker served by the  
15                  jobs program from securing employment, and to re-  
16                  duce the impact of those issues with career services,  
17                  supportive services, and training services;

18                  (3) a description of how the local board will en-  
19                  gage labor organizations, joint labor-management or-  
20                  ganizations, community-based organizations, commu-  
21                  nity colleges, economic development agencies, and  
22                  career and technical education programs as partners  
23                  to provide training services to eligible workers, in-  
24                  cluding any—

1 (A) adult education and literacy activities,  
2 including activities of English language acquisi-  
3 tion, and integrated education and training pro-  
4 grams;

5 (B) pre-apprenticeship and registered ap-  
6 prenticeship programs; and

7 (C) career pathways;

8 (4) a description of how the local board will  
9 support the creation and expansion of industry or  
10 sector partnerships and alignment of the jobs pro-  
11 gram with career pathways to improve outcomes for  
12 eligible workers in program positions;

13 (5) proposed levels for the performance ac-  
14 countability measures described in subsection (c);

15 (6) a description of the controls established by  
16 the local board to assure that the local board—

17 (A) disburses funding to each participating  
18 employer for all eligible costs described in sub-  
19 section (h) incurred under the jobs program,  
20 minus the employer share described in sub-  
21 section (i);

22 (B) oversees participating employers to en-  
23 sure compliance with program rules and collec-  
24 tion of accurate data for performance account-

1 ability measures described in subsection (c);  
2 and

3 (C) requests accurate advance payment or  
4 reimbursement for the eligible costs described  
5 in subsection (h), minus any employer share de-  
6 scribed in subsection (i) of the eligible costs;

7 (7) a description of how the local board will col-  
8 laborate with the corresponding State board to im-  
9 plement the jobs program and align such program  
10 with the plan submitted by the corresponding State  
11 board under subtitle A of title I of the Workforce In-  
12 novation and Opportunity Act (29 U.S.C. 3111 et  
13 seq.);

14 (8) a description of how the local board will  
15 align the activities carried out under the grant with  
16 the activities carried out under—

17 (A) the plans submitted by the local board  
18 under subtitle A of title I of the Workforce In-  
19 novation and Opportunity Act (29 U.S.C. 3111  
20 et seq.);

21 (B) the employment and training program  
22 established by the corresponding State under  
23 the supplemental nutrition assistance program  
24 established under the Food and Nutrition Act  
25 of 2008 (7 U.S.C. 2011 et seq.);

1 (C) the corresponding State program for  
2 temporary assistance for needy families estab-  
3 lished under part A of title IV of the Social Se-  
4 curity Act (42 U.S.C. 601 et seq.);

5 (D) the national service plan submitted by  
6 the corresponding State Commission on Na-  
7 tional and Community Service under section  
8 178 of the National and Community Service  
9 Act of 1990 (42 U.S.C. 12638);

10 (E) programs established under the Second  
11 Chance Act of 2007 (34 U.S.C. 60501 et seq.);

12 (F) employment and community develop-  
13 ment programs carried out by the Secretary of  
14 Housing and Urban Development;

15 (G) career and technical education pro-  
16 grams authorized by the Carl D. Perkins Ca-  
17 reer and Technical Education Act of 2006 (20  
18 U.S.C. 2301 et seq.);

19 (H) the continuum of care projects (relat-  
20 ing to ending homelessness) carried out under  
21 applications submitted, by communities serving  
22 an area that is substantially similar to the cov-  
23 ered area, under subtitle C of title IV of the  
24 McKinney-Vento Homeless Assistance Act (42  
25 U.S.C. 11381 et seq.);

1 (I) programs to support competitive inte-  
2 grated employment for individuals with disabil-  
3 ities, including programs of vocational rehabili-  
4 tation services under title I of the Rehabilita-  
5 tion Act of 1973 (29 U.S.C. 720 et seq.) and  
6 the Ticket to Work and Self-Sufficiency Pro-  
7 gram carried out under section 1148 of the So-  
8 cial Security Act (42 U.S.C. 1320b–19);

9 (J) the program of employment services  
10 provided under the Wagner-Peyser Act (29  
11 U.S.C. 49 et seq.); and

12 (K) employment and training programs for  
13 veterans; and

14 (9) assurances that—

15 (A) prior to the placement of an eligible  
16 worker in a program position, the local board  
17 will consult with the appropriate local labor or-  
18 ganization, if any, representing employees in  
19 the covered area who are engaged in the same  
20 or similar work as that proposed to be carried  
21 out by the eligible worker, to prevent the dis-  
22 placement and protect the rights of such em-  
23 ployees; and

1           (B) the local board will comply with the  
2           nondisplacement provisions of subsection (f)  
3           and the grievance procedures of subsection (g).

4           (c) PERFORMANCE ACCOUNTABILITY.—

5           (1) IN GENERAL.—For each local board, the  
6           performance accountability measures shall consist of  
7           the indicators described in paragraph (2) and the  
8           levels described in paragraph (3).

9           (2) INDICATORS.—The indicators for the per-  
10          formance accountability measures shall consist of—

11           (A) the primary indicators of performance  
12           described in section 116(b)(2)(A)(i) of the  
13           Workforce Innovation and Opportunity Act (29  
14           U.S.C. 3141(b)(2)(A)(i));

15           (B) the number of eligible workers placed  
16           in jobs created by the jobs program of the local  
17           board;

18           (C) for households with an eligible worker  
19           who participated in the program, the average  
20           increase in income by the end of such participa-  
21           tion; and

22           (D) the percentage of program positions  
23           filled by eligible workers who were individuals  
24           with a barrier to employment.

1           (3) ACCEPTABLE OVERALL LEVELS OF PER-  
2           FORMANCE.—The local board shall reach agreement  
3           with the Secretary, acting in consultation with the  
4           Secretary of Education, on acceptable overall levels  
5           of performance for each indicator described in para-  
6           graph (2) for each year covered by the application  
7           submitted under subsection (b). In reaching such  
8           agreements, the local board and the Secretaries shall  
9           take into account—

10                   (A) the purpose of this Act, as described in  
11                   section 2, by seeking to provide job opportuni-  
12                   ties for as many eligible workers as possible;  
13                   and

14                   (B) the factors described in section  
15                   116(b)(3)(A)(v) of the Workforce Innovation  
16                   and Opportunity Act (29 U.S.C.  
17                   3141(b)(3)(A)(v)), except that references in  
18                   that section to a State shall be considered to be  
19                   references to a local area.

20           (4) REPORTING REQUIREMENT.—

21                   (A) IN GENERAL.—The local board shall  
22                   provide information specifying the board’s level  
23                   of performance on the performance account-  
24                   ability measures specified in this subsection, in-  
25                   cluding disaggregated data specified under sub-



1 paragraph (B), as part of the local board per-  
2 formance reports established under section  
3 116(d) of the Workforce Innovation and Oppor-  
4 tunity Act (29 U.S.C. 3141(d)).

5 (B) DISAGGREGATED DATA.—Each such  
6 performance report shall include data specifying  
7 the board’s level of performance with respect to  
8 individuals with barriers to employment,  
9 disaggregated by each subpopulation of such in-  
10 dividuals, and by race, ethnicity, sex, and age.

11 (d) SANCTIONS FOR FAILURE TO MEET PERFORM-  
12 ANCE ACCOUNTABILITY MEASURES OR SUBMIT AN APPLI-  
13 CATION.—

14 (1) PERFORMANCE IMPROVEMENT PLAN AND  
15 TECHNICAL ASSISTANCE.—If a local board fails to  
16 meet performance accountability measures specified  
17 in subsection (c)—

18 (A) the local board shall develop a per-  
19 formance improvement plan; and

20 (B) the Secretary and State board may  
21 provide technical assistance, including assist-  
22 ance in the development of the performance im-  
23 provement plan.

24 (2) REPEATED FAILURE TO MEET PERFORM-  
25 ANCE ACCOUNTABILITY MEASURES.—If a local board

1 fails to meet the performance accountability meas-  
2 ures for at least 3 consecutive years, the Secretary  
3 may enter into an agreement with a community-  
4 based organization to carry out a jobs program serv-  
5 ing the corresponding local area in place of the local  
6 board.

7 (3) FAILURE TO SUBMIT APPLICATION.—

8 (A) IN GENERAL.—If a local board fails to  
9 submit an application under subsection (b) by  
10 the such date as the Secretary may require—

11 (i) the Secretary shall notify the local  
12 board of the local board's failure to submit  
13 such application; and

14 (ii) the Secretary and State board  
15 may provide technical assistance to enable  
16 the local board to submit such application.

17 (B) FAILURE TO SUBMIT APPLICATION  
18 FOR 1 YEAR OR LONGER.—If a local board fails  
19 to submit an application under subsection (b)  
20 for 1 year or longer after the date described in  
21 subparagraph (A), the Secretary may enter into  
22 an agreement with a community-based organi-  
23 zation to carry out a jobs program serving the  
24 corresponding local area in place of the local  
25 board.

1           (4) PROGRAMS CARRIED OUT BY COMMUNITY-  
2           BASED ORGANIZATIONS.—

3           (A) APPLICATION.—A community-based  
4           organization that seeks to carry out a jobs pro-  
5           gram in place of a local board as described in  
6           paragraph (2) or (3) shall submit an applica-  
7           tion to the Secretary.

8           (B) SELECTION.—The Secretary shall se-  
9           lect, on a competitive basis, community-based  
10          organizations to carry out jobs programs as de-  
11          scribed in paragraphs (2) and (3) for a local  
12          area. The Secretary shall select such organiza-  
13          tions based on their ability to implement a jobs  
14          program that achieves the highest levels on the  
15          performance accountability measures, taking  
16          into account the factors described in section  
17          116(b)(3)(A)(v) of the Workforce Innovation  
18          and Opportunity Act (29 U.S.C.  
19          3141(b)(3)(A)(v)), except that references in  
20          that section to a State shall be considered to be  
21          references to a local area, and meets the other  
22          requirements specified in this Act.

23          (C) RENEWAL.—After the initial selection  
24          under subparagraph (B), the Secretary shall,  
25          every 4 years, hold a new competition to select

1 community-based organizations to carry out  
2 jobs programs for local areas. The local board  
3 for such an area may also submit an application  
4 in such competition.

5 (D) IMPLEMENTATION.—This Act shall  
6 apply to a community-based organization se-  
7 lected under this paragraph as if the organiza-  
8 tion was the local board for the corresponding  
9 local area.

10 (e) PARTICIPATING EMPLOYER.—

11 (1) IN GENERAL.—Participating employers  
12 shall be selected by a local board. An entity who  
13 seeks to be a participating employer shall enter into  
14 an agreement with the local board to act as a par-  
15 ticipating employer under this subsection.

16 (2) SELECTION CRITERIA.—

17 (A) IN GENERAL.—To select participating  
18 employers (including the renewal of such a se-  
19 lection), the local board shall take into account  
20 the considerations, and comply with the require-  
21 ments, specified in subparagraphs (B) through  
22 (H).

23 (B) WORKER FEEDBACK.—The local board  
24 shall provide an opportunity for eligible workers  
25 to provide feedback on participating employers,

1 and shall take this feedback into account when  
2 determining whether to renew the selection of  
3 an employer.

4 (C) LABOR ORGANIZATIONS.—

5 (i) IN GENERAL.—The local board  
6 shall consider input from labor organiza-  
7 tions and joint labor-management organi-  
8 zations to select participating employers.

9 (ii) COLLECTIVE BARGAINING AGREE-  
10 MENTS.—For a site of employment at  
11 which workers are covered by a collective  
12 bargaining agreement, the local board shall  
13 not place a program participant in a pro-  
14 gram position at the site without the con-  
15 sent of all labor organizations and joint  
16 labor-management organizations rep-  
17 resenting workers at such site.

18 (D) LONG-TERM EMPLOYMENT PROS-  
19 PECTS.—The local board shall consider whether  
20 the employer under consideration is proposing  
21 or providing an experience that will help eligible  
22 workers secure long-term employment after the  
23 program position ends, either with the partici-  
24 pating employer or another employer.

25 (E) COMMUNITY IMPACT AND INPUT.—

1 (i) COMMUNITY IMPACT PREF-  
2 ERENCE.—The local board shall consider  
3 whether the employer is offering program  
4 positions in which the work to be per-  
5 formed is designed to have a positive im-  
6 pact on the communities in the covered  
7 area served through the jobs program, and  
8 shall develop criteria for that positive im-  
9 pact based on input from members of such  
10 communities.

11 (ii) COMMUNITY INPUT.—The local  
12 board shall also provide an opportunity for  
13 such communities to provide input on how  
14 a participating employer should be selected  
15 and whether specific employers should be  
16 selected, and shall take this input into ac-  
17 count when selecting a participating em-  
18 ployer.

19 (F) IN-DEMAND INDUSTRY SECTOR OR OC-  
20 CUPATION.—The local board shall consider  
21 whether the employer is offering program posi-  
22 tions that lead to employment in an in-demand  
23 industry sector or occupation.

24 (G) TYPE OF BUSINESS.—The local board  
25 shall consider whether the employer is—

1 (i) a worker-owned enterprise; or  
2 (ii) a small business concern owned  
3 and controlled by women, a small business  
4 concern owned and controlled by socially  
5 and economically disadvantaged individ-  
6 uals, a small business concern owned and  
7 controlled by veterans, or a qualified  
8 HUBZone small business concern, as those  
9 terms are defined in section 8(d)(3) of  
10 the Small Business Act (15 U.S.C.  
11 637(d)(3)).

12 (H) OTHER FACTORS.—The local board  
13 may consider other factors, besides the factors  
14 explicitly stated in this paragraph, that are rel-  
15 evant to achieving the performance account-  
16 ability measures and other requirements speci-  
17 fied in this Act.

18 (3) PARTICIPATING EMPLOYER DUTIES.—The  
19 participating employer shall—

20 (A) provide wages for each eligible worker  
21 in a program position at a rate that—

22 (i) is not less than the greatest of the  
23 3 rates described in subsection (h)(1)(B);

24 (ii) is not less than the customary  
25 rate paid by the employer for the same or

1 similar work performed by other employees  
2 who—

3 (I) are not eligible workers in  
4 program positions;

5 (II) are similarly situated in  
6 similar occupations by the same em-  
7 ployer; and

8 (III) have similar training, expe-  
9 rience, and skills; and

10 (iii) is in accordance with any applica-  
11 ble collective bargaining agreements at the  
12 site of employment;

13 (B) provide benefits for each eligible work-  
14 er in a program position—

15 (i) at the same level as is provided to  
16 other employees who are not eligible work-  
17 ers in program positions; and

18 (ii) in accordance with any applicable  
19 collective bargaining agreements at the site  
20 of employment;

21 (C) ensure that the site of employment is  
22 a location where an eligible worker in a pro-  
23 gram position who is an individual with a dis-  
24 ability, as defined in section 7 of the Rehabilita-  
25 tion Act of 1973 (29 U.S.C. 705), interacts



1 with other persons who are not such individuals  
2 with disabilities (not including supervisory per-  
3 sonnel or individuals who are providing services  
4 to such worker) to the same extent as individ-  
5 uals who are not such individuals with disabil-  
6 ities and who are in comparable positions inter-  
7 act with other persons;

8 (D) offer opportunities for advancement to  
9 eligible workers in program positions, as appro-  
10 priate, that are similar to those for other em-  
11 ployees who are not eligible workers in program  
12 positions; and

13 (E) fulfill legal and administrative duties  
14 including payroll processing, tax withholding  
15 and documentation, making deductions for any  
16 applicable labor organization dues, and meeting  
17 liability requirements such as workers' com-  
18 pensation requirements.

19 (4) PAYMENT TO PARTICIPATING EMPLOYER.—

20 (A) WAGES AND COMPENSATION.—The  
21 local board shall provide payment to the partici-  
22 pating employer for all eligible costs described  
23 in subsection (h) for wages and compensation  
24 provided by the employer for eligible workers in

1 program positions, minus the employer share  
2 described in subsection (i).

3 (B) EMPLOYER-PROVIDED TRAINING.—

4 The local board may enter into an agreement  
5 with the participating employer under which the  
6 employer provides on-the-job training or cus-  
7 tomized training to eligible workers, and, sub-  
8 ject to subsection (h)(3), the local board pro-  
9 vides payment to reimburse the employer for  
10 the cost of providing the training described in  
11 the agreement.

12 (f) NONDISPLACEMENT.—

13 (1) NONDISPLACEMENT OF EXISTING EMPLOY-  
14 EES.—The participating employer shall not place an  
15 eligible worker hired for a jobs program in a position  
16 under this Act if—

17 (A) employing such individual will result in  
18 the layoff or partial displacement (such as a re-  
19 duction in hours, wages, or employment bene-  
20 fits) of an existing employee (as of the date of  
21 the hiring) of the employer;

22 (B) such individual will assume any of the  
23 duties or responsibilities of an employee who is  
24 on strike;

1 (C) employing such individual infringes  
2 upon the promotional opportunities of an exist-  
3 ing employee (as of the date of the hiring) of  
4 the employer; or

5 (D) such individual will perform the same  
6 work or substantially the same work as that  
7 performed by any individual, employed by the  
8 employer at the site of employment, who—

9 (i) has been laid off or partially dis-  
10 placed (as such term is described in sub-  
11 paragraph (A)); and

12 (ii) has not been offered by to be re-  
13 stored to the position the employee had im-  
14 mediately prior to being laid off or par-  
15 tially displaced.

16 (2) PROHIBITION ON ROTATION.—The partici-  
17 pating employer may not make placements in a pro-  
18 gram position by constantly rotating new eligible  
19 workers into a permanent position temporarily, ex-  
20 cept in circumstances in which—

21 (A) the employer reasonably intends to  
22 promote each such eligible worker to a different  
23 permanent position within the employer's busi-  
24 ness at the end of that worker's employment in  
25 the program position; or

1 (B) the program position is part of an on-  
2 the-job training program that leads to a recog-  
3 nized postsecondary credential.

4 (3) NONDISPLACEMENT OF GOVERNMENT EM-  
5 PLOYEES OR FUNCTIONS.—

6 (A) GOVERNMENT AGENCY.—A partici-  
7 pating employer that is a government agency  
8 may not place an eligible worker hired for a  
9 jobs program in an existing position (as of the  
10 date of the hiring) that is subject to civil service  
11 laws of a Federal, State, or local government.

12 (B) OTHER PARTICIPATING EMPLOYER.—  
13 A participating employer that is not a govern-  
14 ment agency may not use funds provided under  
15 this Act to provide services or carry out other  
16 functions that are customarily provided by a  
17 unit of State government or general local gov-  
18 ernment.

19 (4) LIMITATION ON PROGRAM POSITIONS FOR  
20 PARTICIPATING EMPLOYER.—

21 (A) IN GENERAL.—No more than 10 per-  
22 cent of the employees of a participating em-  
23 ployer may be in program positions funded  
24 under this Act, except as provided in any of  
25 subparagraphs (B) through (E).

1 (B) MINIMUM.—A participating employer  
2 with fewer than 10 employees may employ 1 in-  
3 dividual in a program position funded under  
4 this Act.

5 (C) MAXIMUM.—A participating employer  
6 with more than 1,000 employees may employ  
7 not more than 100 individuals in program posi-  
8 tions funded under this Act, unless the em-  
9 ployer obtains permission under subparagraph  
10 (D).

11 (D) PERMISSION.—

12 (i) IN GENERAL.—A local board may  
13 grant permission for a participating em-  
14 ployer to have a higher percentage or num-  
15 ber of employees in program positions than  
16 is allowed under subparagraph (A) or  
17 (C)—

18 (I) under the circumstance de-  
19 scribed in subclause (I) or (II) of  
20 clause (ii); or

21 (II) under the circumstance de-  
22 scribed in clause (ii)(III), with the  
23 consent of all labor organizations and  
24 joint labor-management organizations

1 representing workers at the site in-  
2 volved.

3 (ii) CIRCUMSTANCES.—The cir-  
4 cumstances described in this clause are  
5 any of the following:

6 (I) A circumstance in which the  
7 most recent 3-month average of the  
8 unemployment rate in the covered  
9 area is not less than 8 percent.

10 (II) A circumstance in which the  
11 employer is a worker-owned enterprise  
12 and worker-ownership is widely avail-  
13 able to the employer's employees, in-  
14 cluding eligible workers in program  
15 positions.

16 (III) A circumstance in which a  
17 collective bargaining agreement covers  
18 eligible workers in program positions  
19 at a site of employment.

20 (iii) DURATION.—

21 (I) IN GENERAL.—An employer  
22 granted the permission described in  
23 clause (i) under the circumstance de-  
24 scribed in clause (ii)(I) may be grant-  
25 ed such permission for a term of not

1 more than 2 years, subject to sub-  
2 clause (II), regardless of whether the  
3 unemployment rate in the covered  
4 area falls below 8 percent during that  
5 2-year period.

6 (II) RENEWAL.—If the permis-  
7 sion is granted under a circumstance  
8 described in clause (ii)(I) and is  
9 scheduled to expire in 3 months or  
10 less, and if the most recent 3-month  
11 average of the unemployment rate in  
12 the covered area is not less than 8  
13 percent, the local board may renew  
14 the permission for another term de-  
15 scribed in subclause (I).

16 (E) APPLICATION TO GOVERNMENT AGEN-  
17 CY.—If the employer is a Federal, State, or  
18 local agency, the limitations described in sub-  
19 paragraphs (A), (B), and (C) shall be applied  
20 separately to each unit within that agency.

21 (F) MODIFICATION.—The requirements of  
22 this paragraph may be modified under section  
23 5(e).

24 (G) DEFINITION.—For purposes of this  
25 paragraph and subsection (g), the term “par-

1           participating employer” shall not include a commu-  
2           nity-based organization that acts as an em-  
3           ployer of record and (even if a community-  
4           based organization is so acting) shall include  
5           the employer at the site.

6           (g) GRIEVANCE PROCEDURE.—

7           (1) IN GENERAL.—The local board shall estab-  
8           lish and maintain a procedure for the filing and ad-  
9           judication of grievances from participants, labor or-  
10          ganizations, or joint labor-management organiza-  
11          tions, and other interested individuals concerning  
12          participating employers, including grievances relat-  
13          ing to proposed placements of eligible workers with  
14          such employers.

15          (2) DEADLINE FOR GRIEVANCES.—Except for a  
16          grievance that alleges fraud or criminal activity, a  
17          grievance shall be filed not later than 1 year after  
18          the date of the alleged occurrence of the event that  
19          is the subject of the grievance.

20          (3) DEADLINE FOR HEARING AND DECISION.—

21                 (A) HEARING.—A hearing on any griev-  
22          ance conducted under this subsection shall be  
23          conducted not later than 30 days after the fil-  
24          ing of such grievance.



1 (B) DECISION.—A decision on any such  
2 grievance shall be made not later than 60 days  
3 after the filing of such grievance.

4 (4) ARBITRATION.—

5 (A) IN GENERAL.—

6 (i) JOINTLY SELECTED ARBI-  
7 TRATOR.—In the event of a decision on a  
8 grievance that is adverse to the party who  
9 filed the grievance, or 60 days after the fil-  
10 ing of such grievance if no decision has  
11 been reached, such party shall be per-  
12 mitted to submit such grievance to binding  
13 arbitration before a qualified arbitrator  
14 who is jointly selected and independent of  
15 the interested parties.

16 (ii) APPOINTED ARBITRATOR.—If the  
17 parties cannot agree on an arbitrator, the  
18 Secretary shall appoint an arbitrator from  
19 a list of qualified arbitrators within 15  
20 days after receiving a request for such ap-  
21 pointment from one of the parties to the  
22 grievance.

23 (B) DEADLINE FOR PROCEEDING.—An ar-  
24 bitration proceeding shall be held not later than  
25 45 days after the request for such arbitration

1 proceeding, or, if the arbitrator is appointed by  
2 the Secretary in accordance with subparagraph  
3 (A)(ii), not later than 30 days after the ap-  
4 pointment of such arbitrator.

5 (C) DEADLINE FOR DECISION.—A decision  
6 concerning a grievance shall be made not later  
7 than 30 days after the date such arbitration  
8 proceeding begins.

9 (D) COST.—

10 (i) IN GENERAL.—Except as provided  
11 in clause (ii), the cost of an arbitration  
12 proceeding shall be divided evenly between  
13 the parties to the arbitration.

14 (ii) EXCEPTION.—If a participant,  
15 labor organization, joint labor-management  
16 organization, or other interested individual  
17 described in paragraph (1) prevails under  
18 a binding arbitration proceeding, the other  
19 entity that is a party to such grievance  
20 shall pay the total cost of such proceeding  
21 and the attorneys' fees of such participant,  
22 labor organization, or individual, as the  
23 case may be.

24 (5) PROPOSED PLACEMENT.—If a grievance is  
25 filed regarding a proposed placement of an eligible

1 worker with a participating employer, such place-  
2 ment shall not be made unless the placement is con-  
3 sistent with the resolution of the grievance pursuant  
4 to this subsection.

5 (6) REMEDIES.—Remedies for a grievance filed  
6 under this subsection include—

7 (A) suspension of payments for the partici-  
8 pating employer;

9 (B) termination of such payments;

10 (C) prohibition of the placement described  
11 in paragraph (5);

12 (D) in a case in which the grievance is  
13 filed by an individual eligible worker or pro-  
14 gram participant—

15 (i) the eligible worker's selection to be  
16 a program participant, or the program  
17 participant's reinstatement, as the case  
18 may be; and

19 (ii) other changes in the terms and  
20 conditions of employment applicable to the  
21 individual; and

22 (E) in a case in which the grievance in-  
23 volves a violation of subsection (f) and the em-  
24 ployer of the displaced employee is the partici-  
25 pating employer—

1 (i) reinstatement of the displaced em-  
2 ployee to the position held by such em-  
3 ployee prior to displacement;

4 (ii) payment of lost wages and bene-  
5 fits of the displaced employee;

6 (iii) reestablishment of other relevant  
7 terms, conditions, and privileges of employ-  
8 ment of the displaced employee; and

9 (iv) such equitable relief as is nec-  
10 essary to correct any violation of sub-  
11 section (f) or to make the displaced em-  
12 ployee whole.

13 (7) ENFORCEMENT.—Suits to enforce awards  
14 under this subsection may be brought in any district  
15 court of the United States having jurisdiction of the  
16 parties, without regard to the amount in controversy  
17 and without regard to the citizenship of the parties.

18 (8) EXISTING GRIEVANCE PROCEDURES.—Not-  
19 withstanding any other provision of this subsection,  
20 a grievance relating to a site of employment that is  
21 covered by a collective bargaining agreement that in-  
22 cludes a grievance procedure that applies to such  
23 grievance shall be adjudicated under the terms of  
24 such grievance procedure and not this subsection.  
25 Nothing in this subsection shall be construed to limit

1 the application of any grievance procedure included  
2 in a collective bargaining agreement.

3 (h) ELIGIBLE COSTS.—

4 (1) WAGES AND COMPENSATION.—

5 (A) IN GENERAL.—Subject to paragraph  
6 (2), for purposes of this Act, the eligible costs  
7 of providing wages and compensation shall be  
8 the eligible costs of providing the wages de-  
9 scribed in subparagraph (B), and the com-  
10 pensation described in subparagraph (C), for el-  
11 igible workers.

12 (B) WAGES.—The eligible costs described  
13 in this subparagraph shall be the costs of pro-  
14 viding wages at a rate that is the greatest of—

15 (i) the applicable minimum wage rate  
16 under section 6(a)(1) of the Fair Labor  
17 Standards Act of 1938 (29 U.S.C.  
18 206(a)(1)) (not counting any rate author-  
19 ized for employment under special certifi-  
20 cates under section 14 of such Act (29  
21 U.S.C. 214));

22 (ii) the applicable State or local min-  
23 imum wage rate; or

24 (iii) a rate, calculated as an amount  
25 per hour, with the amount determined by

1 dividing the poverty line for a family of 4  
2 by 2,080.

3 (C) COMPENSATION.—The eligible costs  
4 described in this subparagraph—

5 (i) subject to clause (ii), shall be  
6 nonwage expenses that are directly related  
7 to compensation for eligible workers, in-  
8 cluding—

9 (I) costs for employer payroll  
10 taxes;

11 (II) costs for employee benefits;

12 (III) costs to provide a national  
13 service education award for approved  
14 national service positions sponsored  
15 under section 129(i) of the National  
16 and Community Service Act of 1990  
17 (42 U.S.C. 12581(i)); and

18 (IV) costs of fulfilling the duties  
19 described in subsection (e)(3)(E); and

20 (ii) for each eligible worker, shall not  
21 exceed 20 percent of the eligible costs of  
22 providing the wages described in subpara-  
23 graph (B).

24 (2) LIMITATION FOR DURATION OF WAGES AND  
25 COMPENSATION.—

1 (A) IN GENERAL.—Subject to subpara-  
2 graph (B), an eligible cost related to wages and  
3 compensation for a program position is an ex-  
4 pense related to the first 12 months of the pro-  
5 gram position, subject to section 5(e).

6 (B) EXTENSION.—A local board may ex-  
7 tend the 12-month period described in subpara-  
8 graph (A) for not more than an additional 12  
9 months, subject to section 5(e), to the extent  
10 that such extension is necessary to cover the pe-  
11 riod of a program position that is part of an  
12 on-the-job training program that leads to a rec-  
13 ognized postsecondary credential.

14 (3) CAREER SERVICES, SUPPORTIVE SERVICES,  
15 AND TRAINING SERVICES.—

16 (A) AGGREGATE LIMIT.—The eligible costs  
17 of providing, or facilitating the provision of, ca-  
18 reer services, supportive services, and training  
19 services to eligible workers shall, in total, not  
20 exceed 20 percent of the total eligible costs of  
21 providing the wages described in paragraph  
22 (1)(B) to those eligible workers.

23 (B) FLEXIBILITY FOR INDIVIDUALS.—The  
24 limit in subparagraph (A) shall apply to the eli-  
25 gible costs for the total amount of such career

1 services, supportive services, and training serv-  
2 ices provided by a jobs program to all eligible  
3 workers, and shall not be construed to con-  
4 stitute a separate limit on the eligible costs for  
5 the career services, supportive services, and  
6 training services so provided to each eligible  
7 worker.

8 (C) MODIFICATION.—The requirements of  
9 this paragraph may be modified under section  
10 5(e).

11 (4) ADMINISTRATION.—

12 (A) LOCAL BOARDS.—The eligible costs in-  
13 curred by a local board (and a State board,  
14 under subparagraph (B)) of administering a  
15 jobs program under this section shall not exceed  
16 10 percent of the total eligible costs of pro-  
17 viding the wages described in paragraph (1)(B)  
18 to all eligible workers served by the jobs pro-  
19 gram.

20 (B) STATE BOARDS.—A State board may  
21 enter into an agreement with a local board to  
22 receive a portion of the amount made available  
23 under subparagraph (A) to carry out the re-  
24 sponsibilities of the State board under sub-  
25 section (k).



1 (C) SECRETARY.—Of the maximum  
2 amount that the Secretary may make available  
3 under subparagraph (A) with respect to a jobs  
4 program, the Secretary may reserve not more  
5 than 10 percent to administer the jobs program  
6 under this section.

7 (5) MODIFICATION.—The requirements of para-  
8 graphs (2), (3), and (4) may be modified under sec-  
9 tion 5(e).

10 (i) EMPLOYER SHARE FOR WAGES AND COMPENSA-  
11 TION.—

12 (1) IN GENERAL.—

13 (A) BASELINE.—Except as provided in  
14 subparagraph (C), for a local board carrying  
15 out a jobs program in a covered area where the  
16 unemployment rate does not exceed 5 percent,  
17 the employer share of the eligible costs for  
18 wages and compensation shall be 33 percent.

19 (B) HIGHER UNEMPLOYMENT COVERED  
20 AREAS.—Except as provided in subparagraph  
21 (C), for a local board carrying out a jobs pro-  
22 gram in a covered area where the unemploy-  
23 ment rate exceeds 5 percent, the employer share  
24 of those costs shall be the percentage (not less  
25 than 0 percent) obtained by subtracting—

1 (i) 3.3 percentage points for every  
2 half of a percentage point by which the un-  
3 employment rate in the covered area ex-  
4 ceeds 5 percent; from

5 (ii) 33 percent.

6 (C) SECOND YEAR FOR PROGRAM POSI-  
7 TIONS LEADING TO RECOGNIZED POSTSEC-  
8 ONDARY CREDENTIALS.—With respect to an eli-  
9 gible worker who is in the second year of a pro-  
10 gram position that is part of an on-the-job  
11 training program, pre-apprenticeship program,  
12 or registered apprenticeship program, that leads  
13 to a recognized postsecondary credential, the  
14 employer share of the eligible costs of wages  
15 and compensation for the project shall be 50  
16 percent. That employer share for such a worker  
17 shall remain 50 percent regardless of any  
18 change in the unemployment rate of the covered  
19 area.

20 (2) RECALCULATION.—The employer share  
21 under subparagraphs (A) and (B) of paragraph (1)  
22 shall be recalculated for the local board once per cal-  
23 endar quarter, using the unemployment rate from  
24 the calendar quarter in the 12-month period pre-

1 ceding the calculation with the highest average un-  
2 employment rate in the covered area.

3 (3) MODIFICATION.—The requirements of this  
4 subsection may be modified under section 5(e).

5 (j) REQUIREMENTS FOR THE SECRETARY OF  
6 LABOR.—The Secretary shall—

7 (1) oversee jobs programs funded under this  
8 Act to ensure that program requirements are being  
9 met, and verify that requests for Federal funding ac-  
10 curately reflect eligible costs;

11 (2) perform random, periodic audits to deter-  
12 mine compliance with this Act;

13 (3) provide payments to local boards for the eli-  
14 gible costs described in subsection (h), minus any  
15 employer share of the eligible costs described in sub-  
16 section (i);

17 (4) evaluate the performance of jobs programs  
18 carried out under this section, which may include en-  
19 tering into agreements with other entities to conduct  
20 such evaluations;

21 (5) establish a clearinghouse to identify and  
22 publicize best practices used by local boards carrying  
23 out such jobs programs this Act;

24 (6) provide technical assistance to local boards,  
25 and to State boards that are providing assistance to

1 local boards, carrying out such jobs programs under  
2 this Act;

3 (7) conduct outreach to State boards, local  
4 boards, employers, and eligible workers to maximize  
5 opportunities for participation in jobs programs by  
6 eligible workers, in furtherance of the purpose of  
7 this Act as described in section 2, by providing job  
8 opportunities for as many eligible workers as pos-  
9 sible; and

10 (8) administer this Act in consultation with the  
11 Secretary of Education, the Secretary of Housing  
12 and Urban Development, the Secretary of Health  
13 and Human Services, the Attorney General, and the  
14 Secretary of Veterans Affairs.

15 (k) ROLE OF STATE BOARDS.—In order to assist  
16 local boards in carrying out programs under this Act, a  
17 State board may—

18 (1) work with local boards to develop statewide  
19 strategies to implement programs under this Act;

20 (2) align programs carried out under this Act  
21 with the plan submitted by the State board under  
22 subtitle A of title I of the Workforce Innovation and  
23 Opportunity Act (29 U.S.C. 3111 et seq.);

1           (3) facilitate coordination of programs carried  
2 out under this Act with the activities carried out  
3 under—

4           (A) the employment and training program  
5 established by the corresponding State under  
6 the supplemental nutrition assistance program  
7 established under the Food and Nutrition Act  
8 of 2008 (7 U.S.C. 2011 et seq.);

9           (B) the corresponding State program for  
10 temporary assistance for needy families estab-  
11 lished under part A of title IV of the Social Se-  
12 curity Act (42 U.S.C. 601 et seq.);

13           (C) the national service plan submitted by  
14 the corresponding State Commission on Na-  
15 tional and Community Service under section  
16 178 of the National and Community Service  
17 Act of 1990 (42 U.S.C. 12638); and

18           (D) the corresponding State plan for ca-  
19 reer and technical education under part B of  
20 title I of the Carl D. Perkins Career and Tech-  
21 nical Education Act of 2006 (20 U.S.C. 2341  
22 et seq.);

23           (4) assist local boards in the process of submit-  
24 ting applications under this Act; and

1           (5) provide technical assistance to local boards  
2 and employers participating in programs under this  
3 Act.

4           (1) PAYMENT.—

5           (1) ADVANCE PAYMENT.—The Secretary may  
6 provide a payment under this Act, as described in  
7 subsection (a), for a quarter on the basis of an ad-  
8 vance estimate of expenditures submitted by the  
9 local board and any other investigation the Secretary  
10 may find necessary.

11           (2) RETROSPECTIVE ADJUSTMENT.—The Sec-  
12 retary may reduce or increase a payment referred to  
13 in paragraph (1) for a quarter as necessary to ad-  
14 just for any overpayment or underpayment resulting  
15 from such a payment in a previous quarter.

16           (3) REIMBURSEMENT.—The Secretary may pro-  
17 vide a reimbursement payment under this Act, as  
18 described in subsection (a), for a quarter on the  
19 basis of the actual expenditures of the local board,  
20 if payment has not already been made under this  
21 subsection for the same expenditure.

22           (m) MANDATORY FUNDING.—For the purpose of car-  
23 rying out this section, there is authorized to be appro-  
24 priated and there is appropriated, out of any money in  
25 the Treasury not otherwise appropriated, such sums as

1 may be necessary for fiscal year 2021 and each subsequent  
2 fiscal year.

3 **SEC. 5. GRANTS FOR HIGH-POVERTY AREAS AND AREAS**  
4 **WITH CHRONICALLY LOW EMPLOYMENT**  
5 **RATES.**

6 (a) DEFINITIONS.—In this section:

7 (1) HIGH-POVERTY AREA.—The term “high-  
8 poverty area” means an area in which the poverty  
9 rate, as determined by the Bureau of the Census,  
10 has been not less than 20 percent for a period of not  
11 less than 3 years.

12 (2) PRIME WORKING-AGE EMPLOYMENT-TO-  
13 POPULATION RATION.—The term “prime working-  
14 age employment-to-population ratio”, used with re-  
15 spect to an area, means the ratio of the number of  
16 individuals age 25 through 54 in the area who are  
17 employed, to the number of individuals age 25  
18 through 54 in the area.

19 (b) ESTABLISHMENT.—The Secretary shall award  
20 grants on a competitive basis to local boards (including  
21 community-based organizations, consistent with section  
22 4(d)(4)(D)), that carry out jobs programs described in  
23 section 4, to provide for added costs related to carrying  
24 out the programs with modified standards specified in sub-  
25 section (e), with the purpose of achieving economic devel-

1 opment and job growth through the programs. The Sec-  
2 retary shall award the grants for periods of 4 years, and  
3 pay such grants as provided under section 4(l).

4 (c) APPLICATION.—To be eligible to receive a grant  
5 under this section, a local board shall submit an applica-  
6 tion to the Secretary at such time, in such manner, and  
7 containing such information as the Secretary may require,  
8 including—

9 (1) a plan for the jobs program involved to  
10 achieve performance accountability measures de-  
11 scribed in section 4(c) through modified standards  
12 described in subsection (e), and sustain that achieve-  
13 ment in the long term without permanent support  
14 from a grant awarded under this section;

15 (2) information that demonstrates stakeholder  
16 engagement in the jobs program from the public and  
17 private sectors, especially major institutions such as  
18 institutions of higher education, hospitals, or other  
19 large employers and organizations, that are located  
20 in the covered area; and

21 (3) a plan to ensure that residents of the cov-  
22 ered area are part of the operation of and benefit  
23 from the results of the jobs program, which may in-  
24 clude a plan to expand worker-owned enterprises, ex-  
25 pand small local businesses, support start-up busi-



1 nesses owned by covered area residents, or give cov-  
2 ered area residents a role in carrying out the jobs  
3 program.

4 (d) PRIORITY.—In selecting a local board to receive  
5 a grant under this section, the Secretary shall give priority  
6 to local boards proposing to serve—

7 (1) high-poverty areas; or

8 (2) areas for which the prime working-age em-  
9 ployment-to-population ratio has been low, relative  
10 to that ratio for the United States, for a period of  
11 not less than 3 years.

12 (e) MODIFICATION OF CERTAIN STANDARDS.—In  
13 awarding a grant under this section to a local board, the  
14 Secretary is authorized to modify 1 or more of the fol-  
15 lowing standards for the program carried out by the local  
16 board, if the Secretary determines that making such a  
17 modification can be reasonably expected to help the pro-  
18 gram achieve the performance accountability measures re-  
19 ferred to in subsection (c)(1):

20 (1) The periods of time specified in subpara-  
21 graphs (C) and (D) of section 3(3).

22 (2) The limitation on the percentage or number  
23 of employees in program positions with a single par-  
24 ticipating employer, as specified in section 4(f)(4).

1           (3) The allowable duration of funding for wages  
2           and compensation as eligible costs, for a program  
3           position, as specified in section 4(h)(2).

4           (4) The limitation on eligible costs for career  
5           services, supportive services, and training services,  
6           as specified in section 4(h)(3).

7           (5) The limitation on eligible costs for adminis-  
8           tration, as specified in section 4(h)(4).

9           (6) The employer share of eligible costs for  
10          wages and compensation, as specified in section 4(i).

11         (f) EVALUATIONS.—The Secretary shall—

12           (1) evaluate the performance of jobs programs  
13           that receive funding under this section, which may  
14           include entering into agreements with other entities  
15           to conduct such evaluations; and

16           (2) identify and publicize best practices used by  
17           local boards carrying out jobs programs that receive  
18           funding under this section, through the clearing-  
19           house described in section 4(j)(5).

20         (g) AUTHORIZATION OF APPROPRIATIONS.—There  
21         are authorized to be appropriated to carry out this section  
22         such sums as may be necessary for fiscal year 2021 and  
23         each subsequent fiscal year.

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