

117TH CONGRESS
1ST SESSION

H. R. 3445

To amend the National Apprenticeship Act in order to increase and expand the national apprenticeship system to include the immediate recruitment, employment, and on-the-job earn-as-you-learn training of young African Americans, and to promote the development of equitable hiring standards necessary to safeguard the diversity of apprentices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. DAVID SCOTT of Georgia (for himself, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mr. PALLONE, Mrs. CAROLYN B. MALONEY of New York, Mr. TAKANO, Mr. BISHOP of Georgia, Mrs. DEMINGS, Mr. THOMPSON of California, Ms. LEE of California, Mr. DOGGETT, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. PORTER, and Mr. PERLMUTTER) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the National Apprenticeship Act in order to increase and expand the national apprenticeship system to include the immediate recruitment, employment, and on-the-job earn-as-you-learn training of young African Americans, and to promote the development of equitable hiring standards necessary to safeguard the diversity of apprentices, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Jobs, On-the-Job
3 ‘Earn-While-You-Learn’ Training, and Apprenticeships
4 for Young African Americans Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Young African-American men and women
8 are the hardest hit by economic instability. Declared
9 and affirmed by the Federal Reserve, African Ameri-
10 cans face unemployment rates that are two to three
11 times higher than their White counterparts for the
12 last several decades.

13 (2) During economic recessions in 1974
14 through 1975, 1981 through 1982, 1990 through
15 1991, and 2008, the African-American community
16 faced significantly higher unemployment rates than
17 their White counterparts.

18 (3) Even during times of economic growth, Af-
19 rican-American communities experience prolonged fi-
20 nancial vulnerability and delayed recovery. Unem-
21 ployment rates decline at a slower rate for African-
22 American men, and even a slower rate for African-
23 American women as compared to their White coun-
24 terparts.

25 (4) Affirmed by the Department of Labor, di-
26 versity and inclusion within the workforce benefits

1 employees and businesses across all industries, in-
2 cluding apprenticeship programs, which provide eco-
3 nomic mobility to its participants.

4 (5) Through the combined efforts of building
5 trades unions and community partners at the State
6 and local level, there have been established more
7 than 150 apprenticeship readiness programs across
8 the United States that focus on creating pathways
9 to Registered Programs for people of color, women,
10 and veterans. Overall, from 2009 to 2019, building
11 trades unions and their signatory contractors have
12 invested over \$100,000,000 in outreach efforts tar-
13 geting under-represented communities to participate
14 in apprenticeship readiness programs. Of the 4,800
15 individuals who have successfully completed a build-
16 ing trades apprenticeship readiness program since
17 2016, 70 percent were from communities of color
18 and 22 percent were women.

19 (6) The disproportionately high-unemployment
20 rates, combined with low participation rates from
21 African Americans in registered apprenticeship pro-
22 grams not only constitute a national crisis but a na-
23 tional tragedy for the young African Americans,
24 many of whom are fathers and mothers who, without

1 jobs, are unable to provide for their families or
2 home.

3 **SEC. 3. DIVERSITY AND INCLUSION ADMINISTRATOR.**

4 (a) IN GENERAL.—There is established within the
5 Office of Apprenticeship in the Office of Employment and
6 Training Administration of the Department of Labor a po-
7 sition to be known as the “Diversity and Inclusion Admin-
8 istrator”.

9 (b) RESPONSIBILITIES.—The Diversity and Inclusion
10 Administrator shall—

11 (1) promote greater diversity, including an in-
12 crease in the participation of individuals who are Af-
13 rican-American, Hispanic, Asian American or Pacific
14 Islander, or Native American in the national appren-
15 ticeship system;

16 (2) engage with institutions of higher education
17 and other education and training providers with sec-
18 ondary, postsecondary, and adult education systems,
19 including degree and credential requirements;

20 (3) employers from nontraditional apprentice-
21 ship industries and occupations; and

22 (4) assist State apprenticeship agencies and
23 sponsors in complying with the requirements of this
24 Act.

1 **SEC. 4. REGISTERED APPRENTICESHIP APPLICATION.**

2 (a) IN GENERAL.—The Administrator of the Office
3 of Apprenticeship, acting through the Diversity and Inclu-
4 sion Administrator, shall require each entity seeking to
5 register an apprenticeship under the Act of August 16,
6 1937 (commonly referred to as the “National Appren-
7 ticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et
8 seq.) to submit, as a part of the application to register
9 such apprenticeship, a plan to increase participation of in-
10 dividuals who are African American.

11 (b) RENEWAL OF REGISTRATION.—A registered ap-
12 prenticeship program seeking renewal of such registration
13 under the Act of August 16, 1937 (commonly referred to
14 as the “National Apprenticeship Act”; 50 Stat. 664, chap-
15 ter 663; 29 U.S.C. 50 et seq.) shall include in the applica-
16 tion for such registration a plan described in subsection
17 (a).

18 **SEC. 5. GRANT PROGRAM AUTHORIZATION.**

19 (a) IN GENERAL.—The Diversity and Inclusion Ad-
20 ministrator, in consultation with the Secretary of Edu-
21 cation as appropriate, shall award grants on a competitive
22 basis to eligible registered entities to create or expand di-
23 versity in registered apprenticeship programs.

24 (b) TARGET PROGRAMS.—In issuing grants under
25 subsection (a), the Diversity and Inclusion Administrator
26 shall target registered apprenticeship programs in tradi-

1 tional and nontraditional apprenticeship industries or oc-
2 cupations, such as for programs demonstrating demand
3 in construction, welding, electrical engineering, plumbing,
4 information technology, energy, green jobs, advanced man-
5 ufacturing, health care, or cybersecurity.

6 (c) USE OF FUNDS.—A grantee under this section
7 may use funds—

8 (1) to establish or expand partnerships with or-
9 ganizations that provide African-American partici-
10 pants and other nontraditional program participants
11 access to financial planning, mentoring, and sup-
12 portive services that are necessary to enable an indi-
13 vidual to participate in and complete a program
14 under the national apprenticeship system;

15 (2) to conduct outreach and recruitment activi-
16 ties, including assessments of potential African-
17 American participants and other nontraditional par-
18 ticipants for, and enrollment of such participants in,
19 a program under the national apprenticeship system;

20 (3) to conduct outreach, engagement, recruit-
21 ment, and coordination of activities, for the purpose
22 of establishing industry or sector partnerships and
23 opportunities under the national apprenticeship sys-
24 tem, with—

25 (A) employers;

- 1 (B) industry associations;
- 2 (C) labor and labor-management organiza-
- 3 tions;
- 4 (D) qualified intermediaries;
- 5 (E) education and training providers;
- 6 (F) State or local workforce agencies;
- 7 (G) potential sponsors;
- 8 (H) community-based organizations;
- 9 (I) communities with high numbers or per-
- 10 centages of individuals who are African Amer-
- 11 ican and other individuals from populations
- 12 that the Secretary determines to be nontradi-
- 13 tional apprenticeship populations;

14 (J) small- and medium-sized businesses; or

15 (K) rural communities;

16 (4) to carry out grant requirements, including

17 program evaluation and reporting requirements; and

18 (5) to conduct any activities as described in the

19 application that would advance the purposes of the

20 grant.

21 (d) GRANT RECIPIENT REPORT.—Each recipient of

22 a grant under this section shall—

23 (1) submit to the Diversity and Inclusion Ad-

24 ministrator a report at the conclusion of the grant

25 period, which shall include—

1 (A) a description of how the funds received
2 through the grant were used to increase the
3 participation of individuals who are African
4 American, Hispanic, Asian American or Pacific
5 Islander, or Native American in the program;

6 (B) the total number of active program
7 participants;

8 (C) the total number that obtained unsub-
9 subsidized employment in a field related to the
10 apprenticeable occupation;

11 (D) the total number of program partici-
12 pants that completed the program in which they
13 were enrolled;

14 (E) the average time to completion for
15 each program;

16 (F) the average cost per participant during
17 the most recent program year; and

18 (G) the percentage of participants who re-
19 ceived additional support services; and

20 (2) submit each report under paragraph (1)—

21 (A) to the registration agency; and

22 (B) to the Diversity and Inclusion Admin-
23 istrator.

24 (e) ELIGIBLE ENTITY DEFINED.—In this section, the
25 term “eligible entity” means—

- 1 (1) a program sponsor;
- 2 (2) a State workforce development board or
3 State workforce agency, or a local workforce develop-
4 ment board or local workforce development agency;
- 5 (3) an education and training provider, or a
6 consortium thereof;
- 7 (4) if the applicant is in a State with a State
8 apprenticeship agency, such State apprenticeship
9 agency;
- 10 (5) an Indian Tribe or Tribal organization;
- 11 (6) an industry or sector partnership, a group
12 of employers, a trade association, or a professional
13 association that sponsors or participates in a pro-
14 gram under the national apprenticeship system;
- 15 (7) a Governor of a State;
- 16 (8) a labor organization or joint-labor manage-
17 ment organization;
- 18 (9) a community organization working in part-
19 nership with one or more registered apprenticeship
20 programs; or
- 21 (10) a qualified intermediary.

22 **SEC. 6. DEFINITIONS.**

23 In this Act, the following:

1 (1) EDUCATION AND TRAINING PROVIDER.—

2 The term “education and training provider”
3 means—

4 (A) an area career and technical education
5 school;

6 (B) an early college high school;

7 (C) an educational service agency;

8 (D) a high school;

9 (E) a local educational agency or State
10 educational agency;

11 (F) a Tribal educational agency, Tribally
12 controlled college or university, or Tribally con-
13 trolled postsecondary career and technical insti-
14 tution;

15 (G) a postsecondary educational institu-
16 tion;

17 (H) a minority-serving institution;

18 (I) a provider of adult education and lit-
19 eracy activities under the Adult Education and
20 Family Literacy Act (29 U.S.C. 3271 et seq.);

21 (J) a local agency administering plans
22 under title I of the Rehabilitation Act of 1973
23 (29 U.S.C. 720 et seq.), other than section 112
24 or part C of that title (29 U.S.C. 732, 741);

1 (K) a related instruction provider, includ-
2 ing a qualified intermediary acting as a related
3 instruction provider as approved by a registra-
4 tion agency;

5 (L) a Job Corps center (as defined in sec-
6 tion 142 of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3192)); or

8 (M) a consortium of entities described in
9 any of subparagraphs (A) through (L).

10 (2) INSTITUTION OF HIGHER EDUCATION.—The
11 term “institution of higher education” has the
12 meaning given such term in section 101 of the High-
13 er Education Act of 1965 (20 U.S.C. 1001).

14 (3) NATIONAL APPRENTICESHIP SYSTEM.—The
15 term “national apprenticeship system” means the
16 apprenticeship programs, youth apprenticeship pro-
17 grams, and pre-apprenticeship programs under the
18 Act of August 16, 1937 (commonly referred to as
19 the “National Apprenticeship Act”; 50 Stat. 664,
20 chapter 663; 29 U.S.C. 50 et seq.).

21 (4) NONTRADITIONAL APPRENTICESHIP POPU-
22 LATION.—The term “nontraditional apprenticeship
23 population” means a group of individuals (such as
24 individuals from the same gender, race, or ethnicity),
25 the members of which comprise fewer than 25 per-

1 cent of the program participants in an
2 apprenticeable occupation under the national ap-
3 prenticeship system.

4 (5) NONTRADITIONAL APPRENTICESHIP INDUS-
5 TRY OR OCCUPATION.—The term “nontraditional ap-
6 prenticeship industry or occupation” refers to an in-
7 dustry sector or occupation that represents fewer
8 than 10 percent of apprenticeable occupations or the
9 programs under the national apprenticeship system.

10 (6) REGISTERED APPRENTICESHIP PROGRAM.—
11 The term “registered apprenticeship program”
12 means an apprenticeship program registered under
13 the Act of August 16, 1937 (commonly referred to
14 as the “National Apprenticeship Act”; 50 Stat. 664,
15 chapter 663; 29 U.S.C. 50 et seq.).

16 (7) REGISTRATION AGENCY.—The term “reg-
17 istration agency” means the State Office of Appren-
18 ticeship or State apprenticeship agency in a State
19 that is responsible for—

20 (A) approving or denying applications from
21 sponsors for registration of programs under the
22 national apprenticeship system in the State or
23 area covered by the registration agency; and

24 (B) carrying out the responsibilities of sup-
25 porting the youth apprenticeship, pre-appren-

1 ticeship, or apprenticeship programs registered
2 by the registration agency.

3 (8) STATE.—The term “State” has the mean-
4 ing given such term in section 3 of the Workforce
5 Innovation and Opportunity Act (29 U.S.C. 3102)
6 and includes each of the outlying areas.

7 **SEC. 7. EFFECTIVE DATE.**

8 This Act shall take effect beginning on April 22,
9 2022.

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to the Sec-
12 retary of Labor to carry out this Act—

13 (1) \$2,000,000 for fiscal year 2022;

14 (2) \$3,000,000 for fiscal year 2023;

15 (3) \$4,000,000 for fiscal year 2024; and

16 (4) \$5,000,000 for fiscal year 2025.

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