

116TH CONGRESS
2D SESSION

H. R. 8339

To expand opportunities for pre-apprenticeships programs.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2020

Ms. FUDGE (for herself and Mr. CÁRDENAS) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To expand opportunities for pre-apprenticeships programs.

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 “Expanding Oppor-
5 tunity through Pre-Apprenticeships Act”.

6 **SEC. 2. PRE-APPRENTICESHIP PROGRAM STANDARDS.**

7 (a) IN GENERAL.—In this Act, a “pre-apprenticeship
8 program” means a program—

9 (1) designed to—

10 (A) assist individuals who do not meet
11 minimum qualifications for an apprenticeship
12 program; and

1 (B) prepares such individuals to enter and
2 succeed in such an apprenticeship program, in-
3 cluding by providing the skills and competency
4 attainment needed to enter the apprenticeship
5 program; and

6 (2) that meets the requirements described in
7 subsections (b) and (c).

8 (b) REQUIREMENTS.—The program—

9 (1) is carried out in partnership with at least
10 one sponsor of an apprenticeship program;

11 (2) demonstrates the existence of an active ad-
12 visory partnership with an industry or sector part-
13 nership to inform the training and education services
14 necessary for a pre-apprenticeship program;

15 (3) demonstrates evidence of sufficient openings
16 in an apprenticeship program at the completion of a
17 pre-apprenticeship program to support a transition
18 from a pre-apprenticeship to an apprenticeship;

19 (4) has strategies in place with apprenticeship
20 programs that will increase employment opportuni-
21 ties for individuals with barriers to employment and
22 create a diverse talent pipeline, such that, upon com-
23 pletion of a pre-apprenticeship program, they will
24 meet the entry requirements for success in such pro-
25 grams;

1 (5) has plans in place, either directly or
2 through partnerships, to provide supportive services
3 to pre-apprentices, to support the recruitment, re-
4 tention, and completion of the program;

5 (6) provides hands-on training to participants,
6 when possible, that does not supplant the work of a
7 full-time, paid employee but accurately simulates the
8 occupational conditions of a partnering apprentice-
9 ship program, with proper supervision and safety
10 protocols; and

11 (7) provides a certificate of completion by the
12 State apprenticeship agency, awarded to each indi-
13 vidual who completes the program requirements set
14 forth by the plan sponsor.

15 (c) WRITTEN PLAN REQUIREMENTS.—The program
16 includes a written plan developed by the sponsor that—

17 (1) provides for work-based learning in which
18 an industry or sector partnership and a related in-
19 struction provider collaborate to provide training
20 that will introduce participants to the skills, com-
21 petencies, and materials used in one or more
22 apprenticeable occupations;

23 (2) is based on and aligned with national,
24 State, regional, or local industry standards for high-
25 skill, high-wage, or in-demand industry sectors or

1 occupations and the requirements of the related ap-
2 prenticeship program;

3 (3) ensures all individuals have an equal oppor-
4 tunity to participate in the program, as required by
5 section 30 of title 29, Code of Federal Regulations
6 (as in effect on the date of enactment of this Act),
7 and that the program will provide adequate and safe
8 equipment, environments, and facilities for training
9 and supervision, free from discrimination (including
10 harassment and retaliation);

11 (4) ensures the program has remote instruction
12 contingency plans, if feasible, including providing
13 educational technology that aids in regular and sub-
14 stantive interactions between pre-apprentice and
15 classroom instructor;

16 (5) provides training and professional develop-
17 ment for instructors and staff to use technology and
18 services, including for remote instruction;

19 (6) to the extent appropriate and practicable in-
20 cludes enabling an individual to attain a secondary
21 school diploma or its recognized equivalent, and at
22 least 1 recognized postsecondary credential; and

23 (7) includes activities designed for career expo-
24 sure, career planning, and career awareness.

1 **SEC. 3. EVALUATION.**

2 (a) PERFORMANCE DATA COLLECTION.—Not later
3 than 1 year after the date of enactment of this Act, and
4 annually thereafter, the Secretary of Labor shall collect
5 data on—

6 (1) the performance of each pre-apprenticeship
7 program using the disaggregated indicators of per-
8 formance in section 116(b)(2)(A)(i) of the Work-
9 force Innovation and Opportunity Act (29 U.S.C.
10 3141(b)(2)(A)(i)), including participants who are
11 people of color, women, veterans, those who have
12 been impacted by the youth or adult criminal justice
13 system, and individuals with barriers to employment
14 between the ages of 16 and 24;

15 (2) how each such program spends resources;
16 and

17 (3) the diversity and equal opportunity in ap-
18 prenticeships programs.

19 (b) RESEARCH AND PLAN FOR EXPANSION OF PAR-
20 TICIPATION OF CERTAIN POPULATIONS.—Not later than
21 1 year after the date of enactment of this Act, the Sec-
22 retary of Labor, acting through the Administrator of the
23 Office of Apprenticeship, shall use the collected data to
24 conduct research in State labor markets, in partnership
25 with State apprenticeship agencies, to create a plan, on
26 the basis of such research, to expand participation in reg-

1 istered pre-apprenticeship programs by nontraditional
2 populations or individuals with barriers to employment
3 such as youth, women, people of color, long-term unem-
4 ployed, individuals with disabilities, individuals with sub-
5 stance abuse issues, individuals impacted by the criminal
6 justice system, and veterans.

7 **SEC. 4. GRANTS.**

8 (a) IN GENERAL.—From the amounts appropriated
9 to carry out this section, the Secretary of Labor shall
10 award grants, on a competitive basis, to eligible entities.

11 (b) PRIORITY.—In awarding grants under this sec-
12 tion, the Secretary shall give priority to eligible entities
13 that serve a high number or high percentage of individuals
14 who are from nontraditional apprenticeship populations
15 (with priority given to women, people of color, veterans,
16 those who have been impacted by the juvenile or adult
17 criminal justice system, and individuals with barriers to
18 employment between the ages of 16 and 24).

19 (c) APPLICATION.—To receive a grant under this sec-
20 tion, an eligible entity shall submit an application to the
21 Secretary at such time, in such manner, and containing
22 such information as the Secretary determines may be nec-
23 essary.

24 (d) LIMITATION ON USE OF FUNDS.—No less than
25 5 percent of the funds awarded under this section shall

1 be used to provide direct financial assistance to pre-ap-
2 prentices to support financial needs to enter, remain en-
3 rolled in, and complete the apprenticeship program includ-
4 ing, related costs of training, supplies, food and nutrition,
5 housing, transportation, child care, mental health and sub-
6 stance abuse services, or other targeted costs deemed al-
7 lowable by the Secretary.

8 (e) ELIGIBLE ENTITIES DEFINED.—In this section,
9 an “eligible entity” includes—

10 (1) a community-based organization;

11 (2) a pre-apprenticeship sponsor;

12 (3) an employer for an in-demand industry sec-
13 tor or occupation;

14 (4) a joint labor-management training program;

15 or

16 (5) a partnership among community-based or-
17 ganizations, public education entities, and appren-
18 ticeships.

19 (f) USES OF FUNDS.—A grant awarded under this
20 section to an eligible entity may be used to carry out one
21 or more of the following:

22 (1) To provide technical assistance to pre-ap-
23 prentices to help navigate supportive services and
24 other Federal assistance programs (such as the sup-
25 plemental nutrition assistance program under the

1 Food and Nutrition Act of 2008 (7 U.S.C. 2011 et
2 seq.) to enter and remain enrolled in apprenticeship
3 programs.

4 (2) To conduct and improve outreach to non-
5 traditional apprenticeship population.

6 (3) To participate in pre-apprenticeship pro-
7 grams.

8 (4) To facilitate a successful transition between
9 pre-apprenticeship programs and apprenticeship pro-
10 grams.

11 **SEC. 5. ADDITIONAL DEFINITIONS.**

12 In this Act:

13 (1) APPRENTICESHIP PROGRAM.—The term
14 “apprenticeship program” means an apprenticeship
15 program registered under the Act of August 16,
16 1937 (commonly known as the “National Appren-
17 ticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C.
18 50 et seq.), including any requirement, standard, or
19 rule promulgated under such Act, as such require-
20 ment, standard, or rule was in effect on December
21 30, 2019.

22 (2) NONTRADITIONAL APPRENTICESHIP POPU-
23 LATION.—The term “nontraditional apprenticeship
24 population” means a group of individuals (such as
25 a group of individuals from the same gender or race)

1 the members of which comprise fewer than 25 per-
2 cent of the individuals participating in a program
3 under the national apprenticeship system.

4 (3) SECRETARY.—The term “Secretary” means
5 the Secretary of Labor.

6 (4) WIOA TERMS.—The terms “community-
7 based organization”, “in-demand industry sectors or
8 occupations”, “individual with a barrier to employ-
9 ment”, “recognized postsecondary credential”, and
10 “supportive services” have the meanings given the
11 terms in section 3 of the Workforce Innovation and
12 Opportunity Act (29 U.S.C. 3102).

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