

118TH CONGRESS
1ST SESSION

S. 1213

To require the Secretary of Labor to implement the industry-recognized apprenticeship program process, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2023

Mr. THUNE (for himself, Mr. BRAUN, Mr. SCOTT of South Carolina, and Mr. TUBERVILLE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To require the Secretary of Labor to implement the industry-recognized apprenticeship program process, 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 “Training America’s
5 Workforce Act”.

1 **SEC. 2. INDUSTRY-RECOGNIZED APPRENTICESHIP PRO-**
 2 **GRAMS.**

3 The Act of August 16, 1937 (commonly known as
 4 the “National Apprenticeship Act”; 50 Stat. 664, chapter
 5 663; 29 U.S.C. 50 et seq.), is amended—

6 (1) by redesignating section 4 as section 5; and

7 (2) by inserting after section 3 the following:

8 **“SEC. 4. INDUSTRY-RECOGNIZED APPRENTICESHIP PRO-**
 9 **GRAMS.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) INDUSTRY-RECOGNIZED APPRENTICESHIP
 12 PROGRAM.—The term ‘industry-recognized appren-
 13 ticeship program’—

14 “(A) means a high-quality, competency-
 15 based apprenticeship program that is—

16 “(i) recognized by a standards rec-
 17 ognition entity; and

18 “(ii) developed or delivered by an enti-
 19 ty such as a trade or industry group, cor-
 20 poration, nonprofit organization, institu-
 21 tion of higher education, labor organiza-
 22 tion, or labor-management organization
 23 (among other entities, as determined ap-
 24 propriate by the Secretary); and

25 “(B) may include a program that meets
 26 the requirements of subparagraph (A) and

1 trains apprentices to perform construction ac-
2 tivities.

3 “(2) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of Labor.

5 “(3) STANDARDS RECOGNITION ENTITY.—The
6 term ‘standards recognition entity’ means a private
7 sector or public sector entity that—

8 “(A) is recognized by the Secretary (acting
9 through the Administrator of the Office of Ap-
10 prenticeship of the Department of Labor) for
11 purposes of recognizing apprenticeship pro-
12 grams as industry-recognized apprenticeship
13 programs;

14 “(B) has a demonstrated ability to ensure
15 an industry-recognized apprenticeship program
16 meets the standards described in subsection (d);
17 and

18 “(C) has the capacity to perform the over-
19 sight necessary to ensure the ongoing compli-
20 ance of an industry-recognized apprenticeship
21 program with such standards.

22 “(b) RECOGNITION OF INDUSTRY-RECOGNIZED AP-
23 PRENTICESHIP PROGRAMS.—

24 “(1) IN GENERAL.—By not later than 1 year
25 after the date of enactment of the Training Amer-

1 ica’s Workforce Act, the Secretary, after consulta-
2 tion with private sector industry associations, insti-
3 tutions of higher education, State, local, and Tribal
4 governmental agencies, and other stakeholders the
5 Secretary determines appropriate, shall establish a
6 process to recognize entities as standards recognition
7 entities for purposes of recognizing industry-recog-
8 nized apprenticeship programs under this Act.

9 “(2) LIMITED DISCRETION.—The Secretary
10 shall not deny recognition as a standards recognition
11 entity to a private sector or public sector entity that
12 meets the requirements of subparagraphs (B) and
13 (C) of subsection (a)(3) and satisfactorily completes
14 the process established under paragraph (1).

15 “(3) ADMINISTRATIVE FLEXIBILITY.—The Sec-
16 retary shall ensure that the recognition process for
17 standards recognition entities established under
18 paragraph (1) is a flexible process with low adminis-
19 trative and reporting burdens for the standards rec-
20 ognition entities and industry-recognized apprentice-
21 ship programs.

22 “(c) REQUIREMENTS.—The recognition process of
23 standards recognition entities and the activities and proce-
24 dures carried out by the standards recognition entities
25 shall, to the maximum extent practicable and except as

1 otherwise explicitly provided in this section, be consistent
2 with the requirements, activities, and procedures under
3 subpart B of part 29 of title 29, Code of Federal Regula-
4 tions, as such subpart was in effect on May 11, 2020.

5 “(d) STANDARDS.—Each standards recognition enti-
6 ty shall establish standards for the industry-recognized ap-
7 prenticeship programs recognized by the entity that, at a
8 minimum, ensure that each industry-recognized appren-
9 ticeship program—

10 “(1) includes—

11 “(A) paid work;

12 “(B) on-the-job learning;

13 “(C) a mentorship component;

14 “(D) education and classroom instruction;

15 “(E) a written training plan and appren-
16 ticeship agreement; and

17 “(F) safety and supervision components;

18 and

19 “(2) provides, during participation in or upon
20 completion of the apprenticeship, an industry-recog-
21 nized credential.

22 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed as affecting apprenticeship pro-

1 grams registered under this Act and recognized by the
2 Secretary.”.

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