

116TH CONGRESS  
2D SESSION

# S. 5068

To direct the Secretary of Labor to award formula and competitive grants for layoff aversion activities, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2020

Ms. KLOBUCHAR introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To direct the Secretary of Labor to award formula and competitive grants for layoff aversion activities, 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 “Emergency Economic  
5 and Workforce System Resiliency Act”.

6 **SEC. 2. DEFINITIONS.**

7 (a) IN GENERAL.—Except as otherwise provided, the  
8 terms used in this Act have the meanings given the terms  
9 in section 3 of the Workforce Innovation and Opportunity  
10 Act (29 U.S.C. 3102).

1 (b) ADDITIONAL DEFINITIONS.—In this Act:

2 (1) EMPLOYEE OWNERSHIP TRUST.—The term  
3 “employee ownership trust” means an indirect form  
4 of employee ownership in which a trust holds a con-  
5 trolling stake in a business on behalf of all its em-  
6 ployees and provides an incentive for owners to sell  
7 a controlling stake in their business.

8 (2) EMPLOYEE STOCK OWNERSHIP PLAN.—The  
9 term “employee stock ownership plan” has the  
10 meaning given the term in section 4975(e) of the In-  
11 ternal Revenue Code of 1986.

12 (3) REGISTERED APPRENTICESHIP.—The term  
13 “registered apprenticeship” means an apprenticeship  
14 registered under the Act of August 16, 1937 (com-  
15 monly known as the “National Apprenticeship Act”;  
16 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

17 (4) SECRETARY.—Except as otherwise provided,  
18 the term “Secretary” means the Secretary of Labor.

19 (5) WORKER COOPERATIVE.—The term “work-  
20 er cooperative” means a values-driven business—

21 (A) that puts worker and community ben-  
22 efit at the core of its purpose; and

23 (B) in which—

24 (i) workers own the business and par-  
25 ticipate in its financial success on the basis

1 of their labor contribution to the coopera-  
 2 tive; and

3 (ii) workers have representation on  
 4 and vote for the board of directors, adher-  
 5 ing to the principle of one worker, one  
 6 vote.

7 **TITLE I—SUPPLEMENTAL FOR-**  
 8 **MULA GRANTS FOR EMER-**  
 9 **GENCY LAYOFF AVERSION**  
 10 **AND WORKFORCE TRAINING**  
 11 **ACTIVITIES**

12 **SEC. 101. FORMULA GRANTS.**

13 (a) IN GENERAL.—Not later than 1 year after the  
 14 date of the enactment of this Act, the Secretary shall  
 15 award 5-year grants in accordance with subsection (b), to  
 16 States to support efforts to—

17 (1) reduce and prevent unemployment; and

18 (2) limit the impact of disruptions (including  
 19 economic-related, pandemic-related, automation-re-  
 20 lated, and trade-related disruptions and transitions  
 21 due to business owner retirement) on labor markets.

22 (b) STATE ALLOTMENTS.—

23 (1) IN GENERAL.—From the amount appro-  
 24 priated under section 105, the Secretary shall—

1 (A) reserve not more than  $\frac{1}{4}$  of 1 percent  
2 of such amount to provide assistance to the out-  
3 lying areas to carry out the activities described  
4 in section 103; and

5 (B) make allotments to the States, for  
6 grants described in subsection (a), based on the  
7 formula in paragraph (2) to—

8 (i) make allocations under subsection  
9 (c); and

10 (ii) carry out the State activities de-  
11 scribed in subsection (d).

12 (2) ALLOTMENT FORMULA.—The Secretary  
13 shall make an allotment in accordance with the for-  
14 mula in section 132(b)(1)(B)(ii) of the Workforce  
15 Innovation and Opportunity Act (29 U.S.C.  
16 3172(b)(1)(B)(ii)), to each State that submits and  
17 obtains approval of a State plan under section 102.

18 (c) WITHIN STATE ALLOCATIONS.—

19 (1) IN GENERAL.—Subject to paragraph (2),  
20 the Governor of a State shall use a portion of not  
21 less than 60 percent of the allotment funds received  
22 under subsection (b)(2) to allocate funds to each  
23 local area in the State in accordance with section  
24 133(b)(2)(A)(i) of the Workforce Innovation and  
25 Opportunity Act (29 U.S.C. 3173(b)(2)(A)(i)) to

1 carry out the activities under section 103, in accord-  
 2 ance with the State plan under section 102 and in  
 3 consultation with the State board.

4 (2) ADMINISTRATIVE FUNDS.—The Governor of  
 5 a State may use not more than 10 percent of the  
 6 portion described in paragraph (1) for administra-  
 7 tive costs related to administering local activities de-  
 8 scribed in paragraph (1).

9 (d) STATE ACTIVITIES.—

10 (1) IN GENERAL.—Subject to paragraph (2),  
 11 the Governor of a State shall use the remaining  
 12 amount of the allotment funds received under sub-  
 13 section (b)(2) not allocated under subsection (c) to  
 14 carry out the activities under section 103 in accord-  
 15 ance with the State plan under section 102 and in  
 16 consultation with the State board.

17 (2) ADMINISTRATIVE FUNDS.—The Governor of  
 18 a State may use not more than 10 percent of the re-  
 19 maining amount described in paragraph (1) for ad-  
 20 ministrative costs related to carrying out State ac-  
 21 tivities described in paragraph (1).

22 **SEC. 102. STATE APPLICATIONS.**

23 (a) IN GENERAL.—

24 (1) APPLICATION BY STATE.—To be eligible to  
 25 receive a grant under section 101, a State shall sub-

1 mit a State Workforce Economic Recovery plan (in  
 2 this Act referred to as a “State plan”), developed by  
 3 or in consultation with the State board and approved  
 4 by the Governor, to the Secretary at such time and  
 5 in such manner as the Secretary may reasonably re-  
 6 quire, and containing the information described in  
 7 subsection (b).

8 (2) RESPONSE BY SECRETARY.—Upon receipt  
 9 of a State plan, the Secretary shall—

10 (A) approve the State plan; or

11 (B) provide the State—

12 (i) with an explanation as to how the  
 13 State plan does not meet the goals and re-  
 14 quirements of the grant program under  
 15 this title; and

16 (ii) with an opportunity to submit an  
 17 updated State plan or to appeal the deci-  
 18 sion of the Secretary.

19 (3) STATE PLAN UPDATES.—

20 (A) REQUIRED STATE PLAN UPDATES.—

21 Not later than 2 years after the date a State  
 22 receives a grant under section 101, a State  
 23 shall—

24 (i) update the State plan to reflect  
 25 changes in the labor market and other eco-

1            nomic conditions affecting the implementa-  
2            tion of the activities funded under the  
3            grant; and

4            (ii) submit to the Secretary such up-  
5            dated State plan.

6            (B) AUTHORIZED STATE PLAN UP-  
7            DATES.—In addition to the updated State plan  
8            required in subparagraph (A), a State may sub-  
9            mit to the Secretary an updated State plan at  
10           any point during the grant period.

11           (b) CONTENTS.—A State plan shall include each of  
12           the following:

13           (1) A description of how the State plan is  
14           aligned with, enhances, expands, or fills service gaps  
15           into the plan submitted by the State under section  
16           102 or 103 of the Workforce Innovation and Oppor-  
17           tunity Act (29 U.S.C. 3112, 3113).

18           (2) A State strategic vision, including—

19           (A) a summary of the goals of the State—

20           (i) for preparing an educated and  
21           skilled workforce for meeting the skilled  
22           workforce needs of employers (particularly  
23           in existing and emerging in-demand indus-  
24           try sectors and occupations), including in-  
25           formation—

1 (I) identifying median income for  
2 in-demand sectors and occupations in  
3 the State; and

4 (II) on how the State will work  
5 to ensure worker access to jobs and  
6 industries with higher median wages,  
7 opportunities for workers to share in  
8 the ownership or profits of their com-  
9 panies, and high-quality work environ-  
10 ments;

11 (ii) for ensuring equitable access to  
12 high-quality jobs for all segments of the  
13 population of the State, including a plan  
14 for promoting quality career pathways that  
15 lead to high-quality jobs for dislocated  
16 workers or incumbent workers; and

17 (iii) for offering retiring business own-  
18 ers or business owners planning to close  
19 their businesses, opportunities to plan that  
20 transition in order to ensure the continuity  
21 of high-quality jobs in the local economy;  
22 and

23 (B) the primary strategies that will be  
24 used to achieve the State strategic vision and  
25 goals included in such strategic vision, the pro-



1           posed service delivery infrastructure for achiev-  
2           ing such goals, and the timeline for achieving  
3           such goals.

4           (3) A description of the problems the proposed  
5           activities under section 103 aim to solve, and the  
6           reason for prioritizing selected problems.

7           (4) A description of how the State will align  
8           those activities with, and leverage funds from, the  
9           workforce development system and higher education  
10          system of the State, public assistance programs of  
11          the State, and the economic recovery efforts at the  
12          State and local levels.

13          (5) A description of how the State will collabo-  
14          rate with other relevant State and local government  
15          entities, nonprofit entities, and other relevant groups  
16          identified by the State to carry out activities under  
17          section 103, including the roles and responsibilities  
18          of each entity that will participate in the develop-  
19          ment, implementation, evaluation, or oversight of  
20          each component of the State plan.

21          (6) An employer engagement strategy that de-  
22          scribes how employers will be targeted and recruited  
23          to participate, and any expectations for employer  
24          participation, such as cash or in-kind contributions,  
25          wage release time for employees, provision of on-site

1 child care or financial support for child care, em-  
2 ployee participation incentives, work-based learning  
3 opportunities, or loaned instructors.

4 (7) A description of the data sources (commer-  
5 cial or public) the State will use to identify growing,  
6 stable, and declining—

7 (A) businesses; and

8 (B) industry sectors or occupations.

9 (8) A description of how the State will prioritize  
10 individuals with barriers to employment, underrep-  
11 resented individuals, youth, immigrants, formerly in-  
12 carcerated adults, and individuals experiencing pan-  
13 demic-related job displacement.

14 (9) A description—

15 (A) of how the State will prioritize access  
16 to high-quality jobs by establishing the stand-  
17 ards of job quality that an employer is required  
18 to meet as a condition of receiving funds under  
19 this title, which—

20 (i) include a defined livable wage for  
21 the State or by subregion of the State; and

22 (ii) if the minimum standards estab-  
23 lished by the Interagency Task Force  
24 under section 401 have been established,

1                   are consistent with such minimum stand-  
2                   ards; and

3                   (B) of such standards.

4                   (10) Any other required information as deter-  
5                   mined by the Secretary.

6 **SEC. 103. USES OF FUNDS.**

7                   (a) APPROVED ACTIVITIES.—Subject to the limita-  
8                   tions in subsection (b), a State may use, or ensure that  
9                   a local area uses, the funds awarded under this title for  
10                  any of the following activities:

11                  (1) Training and education opportunities.

12                  (2) Adult education.

13                  (3) Incumbent worker training.

14                  (4) Dislocated worker training.

15                  (5) On-the-job training.

16                  (6) Job search assistance.

17                  (7) Layoff aversion, in advance of the notice re-  
18                  quired under the Worker Adjustment and Retraining  
19                  Notification Act (29 U.S.C. 2101 et seq.), which  
20                  may include assisting employers with product diver-  
21                  sification, market expansion, and improving produc-  
22                  tivity.

23                  (8) Helping individuals who need assistance  
24                  with starting up, scaling up, or maintaining their  
25                  businesses, through entrepreneurial development and

1 coaching, which may include the provision of loans  
2 through local boards of up to \$8,000 to help with  
3 starting up a new business or maintaining a busi-  
4 ness in financial distress.

5 (9) Developing career pathway opportunities  
6 (including through industry or sector partnerships)  
7 to in-demand, high-quality jobs in coordination with  
8 employers, community-based organizations, and  
9 State higher education systems, and the State reg-  
10 istered apprenticeship agency.

11 (10) Related instruction for a pre-apprentice-  
12 ship, a registered apprenticeship, or other work-  
13 based training in a career pathway.

14 (11) Funding existing or establishing new State  
15 or nonprofit employee ownership resource centers  
16 that offer education and technical assistance to re-  
17 tiring business owners, new entrepreneurs, or worker  
18 groups for the purpose of using broad-based em-  
19 ployee share ownership through of employee stock  
20 ownership plans, worker cooperatives, or employee  
21 ownership trusts, to allow worker groups to buy out  
22 retiring business owners.

23 (12) Providing capital for revolving loan funds  
24 managed by State or nonprofit entities that offer  
25 loans to—

1 (A) allow worker groups to buy out retir-  
2 ing business owners;

3 (B) worker groups or entrepreneurs look-  
4 ing to save a declining business through em-  
5 ployee-ownership; or

6 (C) workers using broad-based employee  
7 share ownership through of employee stock  
8 ownership plans, worker cooperatives, or em-  
9 ployee ownership trusts.

10 (b) LIMITATIONS.—No State or local area may use  
11 funds awarded under this title to—

12 (1) recruit businesses, employees, or customers  
13 from another State;

14 (2) assist employers whose jobs do not meet the  
15 standards of job quality under section 102(b)(9); or

16 (3) assist proprietary institutions of higher edu-  
17 cation (as defined in section 102(b) of the Higher  
18 Education Act of 1965 (20 U.S.C. 1002(b))).

19 **SEC. 104. REPORTING REQUIREMENTS AND NATIONAL RE-**  
20 **POSITORY.**

21 (a) REPORTING REQUIREMENTS.—

22 (1) STATES.—Each State that receives a grant  
23 under this title shall submit to the Secretary an an-  
24 nual report that, to the extent practicable, integrates  
25 reporting requirements under the Workforce Innova-

1 tion and Opportunity Act (29 U.S.C. 3101 et seq.)  
2 and includes—

3 (A) an evaluation—

4 (i) of the performance of the activities  
5 carried out by the State under the grant—

6 (I) with respect to meeting the  
7 goals of the State plan; and

8 (II) with respect to the indicators  
9 of performance under section  
10 116(b)(2)(A) of the Workforce Inno-  
11 vation and Opportunity Act (29  
12 U.S.C. 3141(b)(2)(A)); and

13 (ii) if the satisfaction measurement  
14 framework as determined by the Inter-  
15 agency Task Force under section 401 has  
16 been established, of the satisfaction of each  
17 employer receiving assistance under this  
18 title on the basis of such satisfaction meas-  
19 urement framework; and

20 (B) information on whether an employer  
21 that received assistance under the grant pro-  
22 vided health benefits, paid sick leave, and paid  
23 family and medical leave to employees.

24 (2) SECRETARY.—The Secretary shall submit a  
25 report to Congress on an annual basis containing a

1 summary of the reports received under paragraph  
 2 (1), including information on promising emerging  
 3 practices with respect to layoff aversion and job cre-  
 4 ation.

5 (b) NATIONAL REPOSITORY.—The Secretary shall,  
 6 jointly with the Interagency Task Force established under  
 7 title IV, establish on a publicly accessible website, a na-  
 8 tional repository—

9 (1) of data-driven, promising emerging prac-  
 10 tices with respect to layoff aversion and job creation  
 11 based on the evaluations described in subsection  
 12 (a)(1); and

13 (2) of recommendations for replicating and  
 14 scaling up such practices.

15 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

16 There is authorized to be appropriated to carry out  
 17 this title \$250,000,000 for fiscal year 2021 and each of  
 18 the 4 succeeding fiscal years.

19 **TITLE II—COMPETITIVE GRANTS**  
 20 **FOR INNOVATIVE LAYOFF**  
 21 **AVERSION MODELS**

22 **SEC. 201. COMPETITIVE GRANTS.**

23 (a) GRANTS AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary shall award  
 25 planning grants under subsection (b) and implemen-

1 tation grants under subsection (c), on a competitive  
2 basis and in accordance with paragraph (2), to  
3 States for innovative layoff aversion models.

4 (2) GRANT CYCLES.—

5 (A) IN GENERAL.—In awarding grants  
6 under this title, the Secretary shall award—

7 (i) a first cycle of grants that shall in-  
8 clude—

9 (I) planning grants under sub-  
10 section (b), that shall be used during  
11 the 18-month period beginning on the  
12 date on which the grant is awarded;  
13 and

14 (II) implementation grants under  
15 subsection (c), that shall be used dur-  
16 ing the 5-year period beginning on the  
17 date on which the grant is awarded;  
18 and

19 (ii) a second cycle of grants that shall  
20 be new implementation grants under sub-  
21 section (c)—

22 (I) to States that used planning  
23 grants in accordance with subpara-  
24 graph (A)(i)(I); and



1 (II) that shall be used during the  
2 3.5-year period beginning on the date  
3 on which the grant is awarded.

4 (B) AMOUNT AVAILABLE FOR GRANT CY-  
5 CLES.—From the amount appropriated under  
6 subsection (e), the Secretary shall allocate—

7 (i) not more than 70 percent to be  
8 used to award the first round of grants  
9 under subparagraph (A)(i); and

10 (ii) any remaining funds to be used to  
11 award the second round of grants under  
12 subparagraph (A)(ii).

13 (b) PLANNING GRANTS.—

14 (1) APPLICATIONS.—

15 (A) IN GENERAL.—To receive a planning  
16 grant under this title, a State shall submit an  
17 application to the Secretary, at such time and  
18 in such manner as the Secretary may require,  
19 and containing the information described in  
20 subparagraph (B).

21 (B) CONTENTS.—Each application shall  
22 include each of the following:

23 (i) A description of the need for a  
24 planning grant, and whether the State

1 plans to submit an application for an im-  
2 plementation grant.

3 (ii) A description of the planning ac-  
4 tivities the State will carry out with a plan-  
5 ning grant.

6 (iii) A description of each entity with  
7 which the State will coordinate to carry  
8 out such activities.

9 (iv) A description of the commercial  
10 or public data sources that the State plans  
11 to use to—

12 (I) investigate declining, stag-  
13 nant, and in-demand industry sectors  
14 or occupations and employers in the  
15 State;

16 (II) determine the needs of un-  
17 derserved and underrepresented popu-  
18 lations to obtain and retain high-qual-  
19 ity jobs; and

20 (III) identify strategies and ap-  
21 proaches to job creation and layoff  
22 aversion.

23 (v) A list of individuals and organiza-  
24 tions, including roles and responsibilities,

1 of each member of the State grantee advisory  
2 council established under title III.

3 (vi) A description of potential State  
4 administrative policies or other conditions  
5 that may support or impede implementa-  
6 tion of new approaches to job creation and  
7 layoff aversion.

8 (2) GRANT AMOUNT.—A planning grant award-  
9 ed under this title may be made in an amount that  
10 is not less than \$75,000, and not more than  
11 \$350,000.

12 (3) USES OF FUNDS.—For a period that is not  
13 greater than 18 months after the date of receipt of  
14 a planning grant under this subsection, a State re-  
15 ceiving a planning grant shall use such grant to  
16 carry out at least one of the following purposes:

17 (A) To research, develop a proof of con-  
18 cept, or pilot layoff aversion and job creation  
19 strategies prior to submission of an implemen-  
20 tation grant application under subsection (c), if  
21 the State plans to apply for such a grant.

22 (B) To help support the modification or re-  
23 moval of State administrative policy barriers to  
24 implementation of job creation and layoff aver-  
25 sion interventions.

1 (c) IMPLEMENTATION GRANTS.—

2 (1) APPLICATION PROCESS.—

3 (A) IN GENERAL.—To receive an imple-  
4 mentation grant under this title, a State shall  
5 submit an application to the Secretary at such  
6 time and in such manner as the Secretary may  
7 require, and containing the information de-  
8 scribed in subparagraph (B).

9 (B) CONTENTS.—Subject to subparagraph  
10 (C), each application shall include each of the  
11 following:

12 (i) A description of the layoff aversion  
13 interventions that will be carried out in-  
14 cluding not less than one layoff aversion  
15 intervention aimed at a particular industry  
16 sector or occupation or segment of the  
17 workforce, or that is workforce develop-  
18 ment system-wide, and the plan for deploy-  
19 ing such interventions.

20 (ii) A description of the projected per-  
21 formance goals for such interventions, and  
22 a timeline for achieving such goals.

23 (iii) An analysis of the need for the  
24 grant, the particular problems that will be  
25 addressed through such interventions, and

1 the reasons for prioritizing such interven-  
2 tions.

3 (iv) A description of efforts already  
4 underway in the State that have been pre-  
5 viously implemented to create jobs or avert  
6 layoffs, and a description of the successful  
7 elements and lessons learned that have in-  
8 formed each type of intervention that will  
9 be funded under the grant.

10 (v) An identification of the State  
11 agency for fiscal and contract administra-  
12 tion, and description of the management  
13 capacity of such agency.

14 (vi) A description of how the State  
15 will collaborate with partners that consist  
16 of relevant State and local government  
17 agencies, nonprofit entities, business and  
18 employer partners, and any other groups  
19 determined relevant by the State, which  
20 may include—

21 (I) small business development  
22 entities;

23 (II) economic development enti-  
24 ties;

25 (III) job training entities;

1 (IV) unemployment compensation  
2 entities;

3 (V) institutions of higher edu-  
4 cation (including 2-year public institu-  
5 tions of higher education);

6 (VI) labor unions;

7 (VII) business associations;

8 (VIII) community-based organi-  
9 zations; and

10 (IX) American Job Centers es-  
11 tablished under section 121 of the  
12 Workforce Innovation and Oppor-  
13 tunity Act (29 U.S.C. 3151) and one-  
14 stop centers.

15 (vii) A description of the roles and re-  
16 sponsibilities of each partner described in  
17 clause (vi).

18 (viii) A description of how the State  
19 will leverage State, local, and private re-  
20 sources from partnering entities, including  
21 the partners described in clause (vi).

22 (ix) A description of how the State  
23 will identify and prioritize employers or in-  
24 dustry sectors with the most significant

1 risks for decline, and individual workers at  
2 risk of layoffs.

3 (x) A list of in-demand industry sec-  
4 tors or occupations that will be the target  
5 of the interventions, the corresponding rec-  
6 ognized postsecondary credentials nec-  
7 essary for workers to obtain jobs in such  
8 sectors or occupations, and a description of  
9 how underrepresented populations and in-  
10 dividuals with education and employment  
11 barriers will be supported to succeed in  
12 such sectors or occupations.

13 (xi) A description of the recognized  
14 postsecondary credentials necessary for  
15 workers to obtain in-demand high-quality  
16 jobs within targeted sectors or occupations,  
17 the corresponding education and training  
18 resources currently available to be lever-  
19 aged, new corresponding education and  
20 training resources that must be developed,  
21 the quality of the education and training to  
22 be offered that leads to each recognized  
23 postsecondary credential, and the role of  
24 employers in helping to create the appro-

1            appropriate and adequate pipeline of workers  
2            with those credentials.

3            (xii) A list of individuals and organi-  
4            zations, including roles and responsibilities,  
5            of each member of the State advisory  
6            council established under title III.

7            (xiii) A description—

8            (I) of how the State will  
9            prioritize access to high-quality jobs  
10           by establishing the standards of job  
11           quality that an employer is required  
12           to meet as a condition of receiving  
13           funds under this title, which, if the  
14           minimum standards established by the  
15           Interagency Task Force under section  
16           401 have been established, are con-  
17           sistent with such minimum standards;  
18           and

19           (II) of such standards.

20           (xiv) Any other information required  
21           by the Secretary.

22           (C) SIMPLIFIED APPLICATION PROCESS.—

23           The Secretary shall establish a simplified appli-  
24           cation process for States that received a plan-



1           ning grant under this title and are seeking to  
2           apply for an implementation grant.

3           (2) GRANT AMOUNT.—

4                 (A) IN GENERAL.—Subject to subpara-  
5           graph (B), an implementation grant awarded  
6           under this title may be made in an amount that  
7           is not less than \$5,000,000, and not more than  
8           \$20,000,000.

9                 (B) ADDITIONAL FUNDS.—A State that is  
10          awarded an implementation grant under this  
11          title for piloting 1 or more of the following  
12          models may receive an amount that is not more  
13          than \$5,000,000 in additional funds:

14                   (i) Establishing a State or local public  
15                  holding company that invests and acquires  
16                  ownership in distressed businesses to allow  
17                  them to continue operating or reopen later.

18                   (ii) Piloting a model that seeks to im-  
19                  prove individual economic security through  
20                  every stage of career life, particularly for  
21                  workers who are left out of traditional un-  
22                  employment insurance, benefits, or worker  
23                  training and retraining programs such as  
24                  independent contractors, gig workers, busi-  
25                  ness owners, and individuals who are car-

1           ing for dependents or otherwise not work-  
2           ing outside of the home. Such model may  
3           include efforts to provide broader lifelong  
4           access to income support, access to pen-  
5           sions or retirement savings accounts,  
6           health care benefits, paid family leave, paid  
7           medical leave, and other fringe benefits.

8           (iii) Establishing joint sector-based or  
9           labor-management governance boards with  
10          shared oversight over a worker support  
11          fund. Such a worker support fund may be  
12          used to provide—

13               (I) ongoing training and retrain-  
14               ing opportunities;

15               (II) income support during un-  
16               employment;

17               (III) health insurance or other  
18               health and wellness benefits;

19               (IV) flexible compensation during  
20               alternative or flexible work schedules;

21               (V) paid sick leave or paid family  
22               leave; or

23               (VI) other benefits as determined  
24               by the joint sector-based or labor-  
25               management governance board.

1           (3) PRIORITY.—In awarding implementation  
2 grants under this title, the Secretary, in consultation  
3 with the Interagency Task Force established under  
4 title IV, shall prioritize each of the following types  
5 of States:

6           (A) States that demonstrate the greatest  
7 need.

8           (B) States that have the most thorough  
9 plans for deploying interventions.

10          (C) States that prioritize individuals with  
11 barriers to employment, underrepresented indi-  
12 viduals, immigrants, youth, formerly incarcerated  
13 individuals, or individuals experiencing  
14 pandemic-related job displacement.

15          (D) States that are committed to forging  
16 career pathways with employers that provide  
17 high-quality jobs—

18           (i) as defined by the State under sec-  
19 tion 102(b)(9); or

20           (ii) in a case in which the State does  
21 not submit a State plan under title I, as  
22 defined in accordance with the require-  
23 ments of section 102(b)(9).

24          (E) States that have the most thorough,  
25 actionable, and achievable plans for deploying

1 interventions, and present reliable and relevant  
2 evidence for the interventions chosen.

3 (d) REPORTING REQUIREMENTS.—

4 (1) STATES.—Each State receiving a grant  
5 under subsections (b) or (c) shall submit annual per-  
6 formance reports to the Secretary that demonstrate  
7 how the State’s grant-funded activities are per-  
8 forming with respect to indicators of performance  
9 under section 116(b)(2)(A) of the Workforce Innova-  
10 tion and Opportunity Act (29 U.S.C.  
11 3141(b)(2)(A)), and the employer satisfaction meas-  
12 ures established by the Interagency Task Force es-  
13 tablished under title IV.

14 (2) SECRETARY.—The Secretary shall submit  
15 to Congress, a report—

16 (A) on an annual basis, containing a sum-  
17 mary of the reports submitted under paragraph  
18 (1); and

19 (B) at the conclusion of each implementa-  
20 tion grant period, containing the results of a  
21 rigorous, independent evaluation of the grants  
22 awarded under this title.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
24 authorized to be appropriated to carry out this title,  
25 \$250,000,000 for fiscal year 2021.

1           **TITLE III—STATE GRANTEE**  
2                           **ADVISORY COUNCIL**

3   **SEC. 301. STATE GRANTEE ADVISORY COUNCIL.**

4           (a) IN GENERAL.—Each State that receives a grant  
5 under title I or title II shall designate a State grantee  
6 advisory council.

7           (b) MEMBERSHIP AND DUTIES.—

8                   (1) IN GENERAL.—The State board shall serve  
9 as the State grantee advisory council and shall over-  
10 see and assess the performance of the activities car-  
11 ried out under the grant received under title I or II.

12                   (2) OTHER ENTITIES.—The Governor shall ap-  
13 point a representative of each of the following types  
14 of entities to serve as a member of the State grantee  
15 advisory council, if the entity involved is not rep-  
16 resented on the State board:

17                           (A) The State workforce development sys-  
18 tem.

19                           (B) The State unemployment compensa-  
20 tion agency.

21                           (C) The State higher education system, in-  
22 cluding the system covering 2-year public insti-  
23 tutions of higher education.

24                           (D) The State, local, or regional chamber  
25 of commerce.

1 (E) Employer organizations.

2 (F) Labor organizations or joint labor-  
3 management organizations.

4 (G) Community-based organizations.

5 (H) An established State-based employee  
6 ownership center that offers education and  
7 technical assistance to retiring business owners,  
8 worker groups, entrepreneurs, or declining busi-  
9 nesses, for the purpose of using broad-based  
10 employee share ownership through employee  
11 stock ownership plans, worker cooperatives, or  
12 employee ownership trusts, to allow worker  
13 groups to buy out businesses.

14 (I) Any other member relevant to the ac-  
15 tivities carried out by the State under the grant  
16 awarded under title I or II.

17 **TITLE IV—INTERAGENCY TASK**  
18 **FORCE**

19 **SEC. 401. PURPOSES.**

20 (a) ESTABLISHMENT.—There is established within  
21 the Federal Government, and not later than 6 months  
22 after the date of enactment of this Act, the Secretary of  
23 Commerce and Secretary of Labor (in this title collectively  
24 referred to as the “Secretaries”) shall jointly assemble, a

1 Federal interagency task force (referred to in this Act as  
2 the “Interagency Task Force”).

3 (b) DUTIES.—The Interagency Task Force shall—

4 (1) identify any challenges that a State or local  
5 area receiving funds under this Act has had to over-  
6 come;

7 (2) collect and disseminate best practices and  
8 develop and recommend policies at the Federal level,  
9 to support ongoing efforts to limit the impact of  
10 market disruptions on workers, employers, and in-  
11 dustry sectors or occupations, particularly with re-  
12 spect to groups specified in section 102(b)(8);

13 (3) establish a framework for a State receiving  
14 a grant under this Act to measure employer satisfac-  
15 tion with respect to activities funded under this Act;  
16 and

17 (4) establish the minimum standards of job  
18 quality that an employer is required to meet as a  
19 condition of receiving assistance under this Act—

20 (A) by taking into consideration—

21 (i) standards concerning whether an  
22 employer provides wages at a rate not less  
23 than the rate specified in the minimum liv-  
24 ing wage standards for States and local-  
25 ities recommended, subject to subpara-

1 graph (B), by research centers at public or  
2 private nonprofit institutions of higher  
3 education or think tanks;

4 (ii) standards concerning whether an  
5 employer provides access to ongoing train-  
6 ing and advancement opportunities;

7 (iii) standards concerning whether an  
8 employer provides paid sick days, paid  
9 family leave, or paid medical leave or  
10 short-term disability leave; and

11 (iv) standards concerning whether an  
12 employer provides adequate hours and pre-  
13 dictable schedules; and

14 (B) by using, for the minimum living wage  
15 standards, a market-based approach that uti-  
16 lizes geographically specific expenditure data re-  
17 lated to the expected minimum food, child care,  
18 health insurance, housing, transportation, and  
19 other basic needs costs, of a household.

20 **SEC. 402. COMPOSITION.**

21 The Interagency Task Force shall be composed of the  
22 following individuals:

23 (1) The Secretary of Labor.

24 (2) The Assistant Secretary of Commerce for  
25 Economic Development.



1           (3) The Administrator of the Small Business  
2 Administration.

3           (4) The Director of the Community Develop-  
4 ment Financial Institutions Fund of the Department  
5 of the Treasury.

6           (5) The Assistant Secretary for Career, Tech-  
7 nical, and Adult Education of the Department of  
8 Education.

9           (6) The Assistant Secretary for Postsecondary  
10 Education of the Department of Education.

11           (7) A representative from the Employment and  
12 Training Administration of the Department of  
13 Labor.

14 **SEC. 403. MEETINGS.**

15       The Interagency Task Force shall meet at least on  
16 an annual basis until the date on which the Interagency  
17 Task Force is terminated under section 405, to evaluate  
18 the activities being carried out by each State receiving a  
19 grant under this Act and impact of those activities on em-  
20 ployers, incumbent workers, and jobseekers, including the  
21 effectiveness of such activities—

22           (1) in keeping workers employed in high-quality  
23 jobs;

1           (2) in helping workers transition smoothly to  
2 high-quality, in-demand jobs during economic dis-  
3 ruption;

4           (3) in improving business resiliency during eco-  
5 nomic disruption; and

6           (4) in expanding the number of jobs available  
7 in high-quality, in-demand industry sectors and oc-  
8 cupations.

9 **SEC. 404. REPORT.**

10       Not later than 1 year after the date on which the  
11 funds provided under the grants awarded under this Act  
12 are expended by the States receiving grants under this  
13 Act, the Interagency Task Force shall submit a report to  
14 Congress detailing recommendations for a Federal pro-  
15 gram based on the most promising practices carried out  
16 with the funds awarded under titles I and II.

17 **SEC. 405. SUNSET.**

18       The Interagency Task Force shall terminate after  
19 submitting the report under section 404.

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