

112TH CONGRESS  
1ST SESSION

# H. R. 929

To amend title 49, United States Code, to expand and improve transit training programs.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2011

Mr. NADLER introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to expand and improve transit training 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 “Transportation Job  
5 Corps Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There are millions of young people ages 16  
9 through 24 who are neither in school nor in the  
10 labor force.

1           (2) According to a report issued by the Commu-  
2           nity Service Society in June 2008, entitled “Out of  
3           Focus: A Snapshot of Public Funding to Reconnect  
4           Youth to Education and Employment”, the young  
5           people described in paragraph (1), often referred to  
6           as disconnected youth, are largely youth of color  
7           from poor communities and at risk of becoming per-  
8           manently disengaged from the labor market which  
9           threatens their ability to break out of the cycle of  
10          poverty and contribute to our economy and commu-  
11          nities.

12          (3) When our young people lack the skills that  
13          local industries need and are unable to support  
14          themselves, we all bear the financial costs.

15          (4) In the coming years, the combination of  
16          public transportation industry growth and an aging  
17          workforce will produce sizeable new openings in the  
18          transit sector.

19          (5) There is no pipeline of replacements on the  
20          horizon, and the transit industry has been limited in  
21          its ability to attract, recruit, and retain employees.

22          (6) For the existing workforce, new technology  
23          is rapidly changing the way transit agencies func-  
24          tion, affecting every sector of the workforce, includ-  
25          ing executive directors, mid-level managers, bus op-

1 erators, and mechanics, yet relatively few programs  
2 exist to provide training to workers so that they can  
3 perform their jobs adequately, move up the career  
4 ladder, and help the Nation’s transit agencies oper-  
5 ate at maximum efficiency.

6 **SEC. 3. WORKFORCE DEVELOPMENT PROGRAMS.**

7 (a) WORKFORCE DEVELOPMENT PROGRAM.—Title  
8 49, United States Code, is amended—

9 (1) by striking section 5322; and

10 (2) by inserting the following:

11 **“SEC. 5322. WORKFORCE DEVELOPMENT PROGRAMS.**

12 “(a) NATIONAL JOINT WORKFORCE DEVELOPMENT  
13 COUNCIL.—

14 “(1) ESTABLISHMENT.—Not later than 180  
15 days after the date of enactment of the Transpor-  
16 tation Job Corps Act of 2011, the Administrator of  
17 the Federal Transit Administration shall establish a  
18 National Joint Workforce Development Council (re-  
19 ferred to in this section as the ‘National Council’).

20 “(2) COMPOSITION.—

21 “(A) VOTING MEMBERS.—Two representa-  
22 tives, one representing labor and one rep-  
23 resenting management, from each Regional  
24 Workforce Development Board described in  
25 subsection (c), shall be elected by majority vote

1 of labor and management representatives re-  
2 spectively, on each Regional Board, to serve on  
3 the National Council.

4 “(B) EX OFFICIO MEMBERS.—The Admin-  
5 istrator shall appoint as non-voting ex officio  
6 members to the National Council—

7 “(i) up to 10 members, such as rep-  
8 resentatives of transit trade associations,  
9 non-profit organizations, research organi-  
10 zations, community colleges and univer-  
11 sities, private industry, and any other  
12 group or individual the Administrator be-  
13 lieves would contribute to the National  
14 Council;

15 “(ii) a representative of the Inter-  
16 national Transportation Learning Center  
17 which administers the transit career ladder  
18 training program authorized pursuant to  
19 section 3046 of the Safe, Accountable,  
20 Flexible, Efficient Transportation Equity  
21 Act: A Legacy for Users (49 U.S.C. 5338  
22 note); and

23 “(iii) an individual who has expertise  
24 in youth development programs.

1           “(3) DUTIES.—The National Council shall with  
2 a national focus—

3           “(A) conduct a prevue national study on  
4 transit workforce development issues;

5           “(B) identify skills gaps in transit agency  
6 maintenance departments and develop programs  
7 to train maintenance employees and fixed route  
8 and paratransit operators;

9           “(C) develop programs to address the re-  
10 cruitment and retention of managerial and non-  
11 managerial employees;

12           “(D) initiate relationships with nontrans-  
13 portation sector industries, associations, and  
14 groups in the public and private sector to de-  
15 velop best practices in training and skills devel-  
16 opment and determine appropriate ways to col-  
17 laborate on behalf of disconnected youth;

18           “(E) conduct research on transit workforce  
19 development issues and develop best practices  
20 for recruitment, training, and retention of em-  
21 ployees;

22           “(F) conduct research on the extent of  
23 labor market disconnection among disconnected  
24 youth and assess the provision of employment  
25 services for such youth;

1           “(G) make recommendations to the Sec-  
2           retary and to public transit agencies regarding  
3           how to expand current employment training  
4           programs, outreach programs to increase mi-  
5           nority and female employment in public trans-  
6           portation activities, and apprenticeship pro-  
7           grams;

8           “(H) develop programs and make rec-  
9           ommendations to public transit agencies to ad-  
10          dress issues related to workplace quality of life  
11          issues, including absenteeism, scheduling, child  
12          care, and other issues that may be necessary to  
13          improve recruitment and retention of employ-  
14          ees;

15          “(I) maintain and update routinely an elec-  
16          tronic library, consisting of such materials as  
17          online courseware and training manuals, white  
18          papers, research materials, and other related  
19          items;

20          “(J) provide periodic assessments to the  
21          Secretary, on studies and programs carried out  
22          on the national level;

23          “(K) coordinate research and program de-  
24          velopment of the Regional Boards pursuant to

1 subsection (c), to reduce duplication and assure  
2 complimentary research goals; and

3 “(L) make recommendations to the Sec-  
4 retary for guidance on grant programs carried  
5 out in subsection (d) taking into account the  
6 recommendations of the Regional Boards.

7 “(b) REGIONAL WORKFORCE DEVELOPMENT COUN-  
8 CILS.—

9 “(1) ESTABLISHMENT.—Not later than 90 days  
10 after the date of enactment of the Transportation  
11 Job Corps Act of 2011, the Administrator of the  
12 Federal Transit Administration shall establish a  
13 workforce development council in each of its 10 re-  
14 gions.

15 “(2) COMPOSITION.—

16 “(A) SELECTION OF REGIONAL COUN-  
17 CILS.—The management of each public transit  
18 agency and the labor organization representing  
19 the majority of employees at each such transit  
20 agency in a region shall select one representa-  
21 tive for the council established under paragraph  
22 (1).

23 “(B) ELECTION OF GOVERNING BOARD.—  
24 The selected individuals from each transit agen-  
25 cy shall elect, by majority vote from among

1 members of such council, a governing board for  
2 the region, including a co-chairperson from  
3 among the representatives from labor and a co-  
4 chairperson from among the representatives  
5 from management.

6 “(c) REGIONAL GOVERNING BOARDS.—

7 “(1) COMPOSITION OF GOVERNING BOARDS.—  
8 The governing board for each region shall be com-  
9 posed of not more than 10 members elected by the  
10 Council pursuant to subsection (b)(2).

11 “(2) DUTIES.—The governing board for each  
12 region shall on a regional basis—

13 “(A) identify skills gaps in transit agency  
14 maintenance departments and develop programs  
15 to train maintenance employees and fixed route  
16 and paratransit operators on a regional basis;

17 “(B) develop programs to address the re-  
18 cruitment and retention of managerial and non-  
19 managerial employees;

20 “(C) initiate relationships with nontrans-  
21 portation sector industries, associations, and  
22 groups in the public and private sector to de-  
23 velop best practices in training and skills devel-  
24 opment and determine appropriate ways to col-  
25 laborate on behalf of disconnected youth;



1           “(D) conduct research on transit workforce  
2           development issues and develop best practices  
3           for recruitment, training, and retention of em-  
4           ployees;

5           “(E) conduct research on the extent of  
6           labor market disconnection among disconnected  
7           youth and assess the provision of employment  
8           services for such youth;

9           “(F) make recommendations to the Sec-  
10          retary and to public transit agencies regarding  
11          how to expand current employment training  
12          programs, outreach programs to increase mi-  
13          nority and female employment in public trans-  
14          portation activities, and apprenticeship pro-  
15          grams;

16          “(G) develop programs and make rec-  
17          ommendations to public transit agencies to ad-  
18          dress issues related to workplace quality of life  
19          issues, including absenteeism, scheduling, child  
20          care, and other issues that may be necessary to  
21          improve recruitment and retention of employ-  
22          ees;

23          “(H) provide periodic assessments to the  
24          Secretary and to the National Joint Workforce  
25          Development Council established under sub-

1 section (a), on studies and programs carried out  
2 on the regional level; and

3 “(I) make recommendations to the Na-  
4 tional Joint Workforce Development Council for  
5 guidance on grant programs carried out under  
6 subsection (d).

7 “(3) EX OFFICIO MEMBERS.—

8 “(A) POSSIBLE APPOINTMENTS.—The Ad-  
9 ministrator—

10 “(i) shall appoint representatives in  
11 accordance with subparagraph (B); and

12 “(ii) may appoint non-voting ex officio  
13 members to each regional governing board  
14 from among representatives of nonprofit  
15 organizations, research organizations, and  
16 any other groups or individuals the Admin-  
17 istrator believes would contribute to the  
18 board.

19 “(B) APPOINTMENTS FOR INTERNATIONAL  
20 TRANSPORTATION LEARNING CENTER AND FED-  
21 ERAL TRANSIT ADMINISTRATORS.—The Admin-  
22 istrator shall appoint as a non-voting ex officio  
23 member to the regional governing board of the  
24 respective region—

1           “(i) one or more representatives of the  
2           International Transportation Learning  
3           Center which administers the transit ca-  
4           reer ladder training program authorized by  
5           section 3046 of the Safe, Accountable,  
6           Flexible, Efficient Transportation Equity  
7           Act: A Legacy for Users (Public Law 109-  
8           59);

9           “(ii) the Federal Transit Administra-  
10          tors of each of the 10 regions; and

11          “(iii) an individual who has expertise  
12          in youth development programs.

13          “(d) GRANT PROGRAMS.—

14                 “(1) IN GENERAL.—The Secretary, acting  
15                 through the Administrator and taking into account  
16                 the recommendations of the National Council under  
17                 subsection (a) and the Regional Governing Boards  
18                 under subsection (c), shall establish grant programs  
19                 as follows:

20                         “(A) TRANSIT YOUTH OPPORTUNITY.—

21                                 “(i) BASIC SKILLS EDUCATION AND  
22                                 PRE-APPRENTICESHIP SKILLS.—

23   “(I) APPLICATIONS.—The Ad-  
24   ministrator shall accept applications  
25   for grants from nonprofit organiza-

1            tions and public or privately funded  
2            educational institutions providing aca-  
3            demic or technical instruction to en-  
4            courage and introduce youth discon-  
5            nected to a variety of careers in the  
6            transit industry by providing such  
7            youth with basic skills education, if  
8            necessary, and pre-apprenticeship  
9            skills.

10            “(II) PRIORITY.—The Adminis-  
11            trator shall give priority for such  
12            grants to organizations with a proven  
13            record of success in providing discon-  
14            nected youth with basic education and  
15            pre-apprenticeship skills.

16            “(ii) APPRENTICESHIPS.—The Admin-  
17            istrator shall accept applications from  
18            partnerships of transit agencies and the  
19            unions representing non-managerial em-  
20            ployees for grants to develop local and re-  
21            gional labor-management apprenticeship  
22            programs aligned with national transit in-  
23            dustry apprenticeship programs for a vari-  
24            ety of transit-related jobs, by giving pri-  
25            ority to individuals who have successfully

1 completed a pre-apprenticeship program  
2 pursuant to clause (i).

3 “(B) TRANSIT WORKER EDUCATION AND  
4 RETENTION GRANTS.—

5 “(i) APPLICATIONS.—The Adminis-  
6 trator shall accept applications from—

7 “(I) in the case of non-manage-  
8 rial employees, partnerships of transit  
9 agencies and the unions representing  
10 non-managerial employees; and

11 “(II) in the case of managerial  
12 employees, from providers of manage-  
13 ment and technical programs for the  
14 delivery of such programs and the re-  
15 lated costs of attendee participation.

16 “(ii) USE OF GRANT FUNDS.—Funds  
17 for a grant under this subparagraph may  
18 be used—

19 “(I) to develop education pro-  
20 grams in a variety of training settings  
21 for transit employees from diverse  
22 population groups to maintain and  
23 improve job skills and advance em-  
24 ployee development across a career  
25 span; and

1                   “(II) assisting individuals to ob-  
2                   tain education and training required  
3                   to enter the transit profession and ad-  
4                   vance within such profession, such as  
5                   by providing career counseling and  
6                   mentoring.

7                   “(C) WORKFORCE DIVERSITY GRANTS.—  
8                   The Administrator shall accept applications  
9                   from partnerships of transit agencies and the  
10                  unions representing non-managerial employees  
11                  for a grant to develop special projects to in-  
12                  crease education opportunities within the tran-  
13                  sit industry for individuals who are from dis-  
14                  advantaged backgrounds, including racial and  
15                  ethnic minorities under-represented among  
16                  transit management, by providing student  
17                  scholarships or stipends, pre-entry preparation,  
18                  and retention activities.

19                  “(2) GRANT REQUIREMENTS.—A grant under  
20                  this section shall be subject to all requirements of a  
21                  grant under section 5307.

22                  “(e) FUNDING.—In addition to the amounts set forth  
23                  in section 5315(d), there are authorized to be appro-  
24                  priated—

1           “(1) to carry out subsections (a), (b), and (c),  
2           \$10,000,000 for each of fiscal years 2012 through  
3           2013; and

4           “(2) to carry out subparagraphs of subsection  
5           (d), \$90,000,000 for each of fiscal years 2012 and  
6           2013.

7           “(f) CERTIFICATION.—The Administrator shall de-  
8           velop a category on ‘Workforce Development’ on its annual  
9           Certifications and Assurances for Federal Transit Admin-  
10          istration Assistance Programs in accordance with section  
11          5323(n), and include such category as one of the areas  
12          of certification beginning in fiscal year 2012. Such cat-  
13          egory shall require transit agencies to develop short-range  
14          and long-range planning with regard to workforce develop-  
15          ment matters, with a particular focus on the recruitment,  
16          retention, and training of managerial and non-managerial  
17          employees.

18          “(g) DEFINITION.—For purposes of this section, the  
19          term ‘disconnected youth’ means individuals ages 16  
20          through 24 who are out of school and not employed and  
21          composed primarily of youth of color from poor commu-  
22          nities and at risk of becoming permanently disengaged  
23          from the labor market which threatens their ability to

- 1 break out of the cycle of poverty and contribute to our
- 2 economy and communities.”.

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