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1ST SESSION

S. 1252

To promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2011

Ms. MIKULSKI (for herself and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce.

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 “Women and Workforce
5 Investment for Nontraditional Jobs” or “Women WIN
6 Jobs”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) According to the Council of Economic Advi-
2 sors, “occupations requiring higher educational at-
3 tainment are projected to grow much faster than
4 those with lower education requirements between
5 2006 and 2016, with the fastest growth among occu-
6 pations that require an associate’s degree or a post-
7 secondary vocational award.” Some of the occupa-
8 tions cited in the report include electricians, plumb-
9 ers, aircraft mechanics and service technicians, elec-
10 trical power line installers and repairers, and envi-
11 ronmental engineering technicians, all of which are
12 nontraditional occupations for women, as defined
13 under the Carl T. Perkins Career and Technical
14 Education Act of 2006.

15 (2) Only 6.2 percent of employed women
16 worked in nontraditional occupations in 2008.

17 (3) More than one-half of all working women
18 are clustered in 25 of 504 job categories tracked by
19 the Bureau of Labor Statistics. Excluding teachers
20 and nurses, most of these categories are among the
21 lowest-paid occupations. In general, women working
22 in nontraditional fields earn 20 to 30 percent more
23 than women in traditionally female fields.

24 (4) The National Association of Manufacturers
25 estimates a need for 10 million new workers by 2020

1 due to the aging of the current workforce. Moreover,
2 90 percent of manufacturers are experiencing a
3 shortage of qualified employees including machinists,
4 operators, craft workers, distributors, and techni-
5 cians. Women hold only 4.7 percent of welding, sol-
6 dering, and brazing jobs.

7 (5) Women make up 75.5 percent of cashiers,
8 whose hourly wage averages \$9.08, but only 3.3 per-
9 cent of electrical power-line installers and repairers,
10 who earn an average hourly wage of \$26.11, and
11 only 3 percent of telecommunications line installers
12 and repairers, who earn an average hourly wage of
13 \$22.75.

14 (6) Women comprise 73.2 percent of wait staff,
15 whose hourly wage averages \$9.41, but only 2 per-
16 cent of HVAC mechanics and installers, who make
17 an average hourly wage of \$20.31.

18 (7) Women make up 95.6 percent of child care
19 workers, whose hourly wage averages \$9.79, but only
20 1 percent of electricians, who make an average hour-
21 ly wage of \$23.98.

22 (8) Women comprise 93.6 percent of reception-
23 ists and information clerks, whose hourly wage aver-
24 ages \$12.21, but only 4.9 percent of surveying and

1 mapping technicians who make an average hourly
2 wage of \$18.03.

3 (9) Women make up 84.4 percent of office
4 clerks, whose hourly wage averages \$12.20, but only
5 10.5 percent of computer, ATM and office machine
6 repairers, who make an average hourly wage of
7 \$18.95, and only 13 percent of avionics technicians,
8 who earn an average hourly wage of \$23.73.

9 (10) Women are only 5 percent of surveying
10 and mapping technicians with a median weekly wage
11 of \$794; 11 percent of computer, ATM, and office
12 machine repair persons with a median weekly wage
13 of \$823; and 18 percent of web developers or pro-
14 grammers with a median weekly wage of \$1,218.

15 (11) Girls comprise only 15 percent of students
16 enrolled in high school courses leading to nontradi-
17 tional occupations. This proportion has stayed rel-
18 atively constant for the past 30 years.

19 (12) An independent study conducted in 2001
20 found that when programs, such as those under the
21 Women in Apprenticeship and Nontraditional Occu-
22 pations (WANTO) Act of 1992, were implemented
23 in an area, local women were 25 percent more likely
24 to hold a nontraditional job and were more likely to
25 hold these jobs years after the intervention.

1 (13) More than half of the individuals receiving
2 training services under the Workforce Investment
3 Act are women. However, males who complete train-
4 ing are 11 times more likely to be employed in the
5 occupational category farming, fishing, forestry, con-
6 struction and extraction and 7 times more likely in
7 the area installation, repair, production, transpor-
8 tation, and material moving. In 2007, quarterly
9 earnings of females who completed training were 18
10 percent lower than the earnings of males who com-
11 pleted the training.

12 (14) Among women who received training serv-
13 ices under the Workforce Investment Act in either
14 the adult or dislocated worker program, the share of
15 those employed in nontraditional occupations the
16 first quarter after exiting declined from 4.9 percent
17 and 6.2 percent in each program respectively in pro-
18 gram year 2002 to 2.3 percent and 2.8 percent re-
19 spectively in program year 2007.

20 **SEC. 3. DEFINITIONS.**

21 In this Act—

22 (1) the term “designated region” has the mean-
23 ing given such term in section 116(c)(5)(A) of the
24 Workforce Investment Act of 1998 (29 U.S.C.
25 2831(c)(5(A));

1 (2) the term “eligible entity” means a partner-
2 ship—

3 (A) among—

4 (i) a community-based organization
5 experienced in serving women;

6 (ii) 1 or more employers or a business
7 association;

8 (iii) a registered apprenticeship pro-
9 gram if available in a designated region;

10 and

11 (iv) a public postsecondary education
12 institution; and

13 (B) in addition to the required partners
14 described in subparagraph (A), that may in-
15 clude business and trade associations, labor
16 unions, high schools, and workforce and eco-
17 nomic development agencies;

18 (3) the term “self-sufficiency standard” means
19 a measure of how much income families need to
20 cover their basic costs without subsidies, as deter-
21 mined or recognized by the State for an applicable
22 local area using a consistent methodology that cal-
23 culates the costs of living and working (including
24 taxes) based upon sub-State geographic location and
25 family size and composition;

1 (4) the term “non-traditional occupations”
2 means those occupations in which women make up
3 less than 25 percent of the current workforce (as de-
4 fined in section 3 of the Carl D. Perkins Career and
5 Technical Education Act of 2006 (20 U.S.C. 2302));

6 (5) the term “public postsecondary education
7 institution” means—

8 (A) a junior or community college, as de-
9 fined in section 312(f) of the Higher Education
10 Act of 1965 (20 U.S.C. 1058(f)); or

11 (B) an area technical school, as defined in
12 section 3 of the Carl D. Perkins Career and
13 Technical Education Act of 2006 (20 U.S.C.
14 2302);

15 (6) the term “registered apprenticeship pro-
16 gram” means a program registered under the Act of
17 August 16, 1937 (commonly known as the “National
18 Apprenticeship Act” (29 U.S.C. 50 note)); and

19 (7) the term “State” has the meaning given
20 such term in section 3 of the Carl D. Perkins Career
21 and Technical Education Act of 2006 (20 U.S.C.
22 2302).

23 **SEC. 4. GRANTS TO STATES.**

24 (a) ALLOCATION OF FUNDS.—

1 (1) IN GENERAL.—In any fiscal year in which
2 the total amount appropriated under section 11 ex-
3 ceeds \$50,000,000, the Secretary of Labor shall,
4 from the amount appropriated under section 11 to
5 carry out this section, allocate funds to States using
6 a formula based on each State’s share of the na-
7 tional population of women from families with an in-
8 come of less than 200 percent of the poverty thresh-
9 old, according to the most recent data available by
10 the Bureau of the Census.

11 (2) REALLOCATION.—If a State does not re-
12 ceive funds under paragraph (1), the Secretary shall
13 reallocate such funds to other States in the same
14 proportion funds are allocated under such para-
15 graph.

16 (b) SUBMISSION OF STATE PLAN.—

17 (1) IN GENERAL.—In order to receive an alloca-
18 tion of funds under subsection (a), the Governor of
19 a State shall submit a State Plan that describes how
20 the State plans to—

21 (A) distribute such funds to eligible enti-
22 ties located in the State to increase women’s
23 participation in high-wage, high-demand occu-
24 pations in which women are currently underrep-

1 resented in the State’s workforce in accordance
2 with section 5; and

3 (B) use such funds to carry out the state-
4 wide activities described in subsection (e).

5 (2) ADMINISTRATION OF STATE PLAN.—The
6 State Plan described in paragraph (1) shall be ad-
7 ministered by a State workforce development board
8 (as referred to in the Workforce Investment Act of
9 1998 (29 U.S.C. 2801 et seq.)), in consultation with
10 a State entity (as defined in section 118(c) of the
11 Carl D. Perkins Career Technical Education Act of
12 2006 (20 U.S.C. 2328)).

13 (3) REVIEW OF PLAN.—The Secretary of Labor
14 shall review each State plan submitted pursuant to
15 this subsection within 60 days of receipt.

16 (c) USE OF FUNDS.—The designated State entity
17 may reserve not more than 15 percent of the grant for
18 statewide activities to—

19 (1) provide technical assistance to eligible enti-
20 ties receiving funding under this Act and to State
21 registered apprenticeship programs and sponsors
22 and joint apprenticeship training councils on meet-
23 ing their enrollment goal for women in nontradi-
24 tional occupations;

1 (2) develop institutional and cross-agency poli-
2 cies and protocols such as memoranda of under-
3 standing that set goals for the hiring of specific per-
4 centages of women served under this Act into reg-
5 istered apprenticeships and permanent employment
6 openings in publicly assisted projects;

7 (3) engage in public education and outreach ac-
8 tivities, to overcome stereotypes about women in
9 nontraditional occupations, including the develop-
10 ment of educational and marketing materials; and

11 (4) provide training and technical assistance to
12 overcome gender inequity among employers, reg-
13 istered apprenticeship programs, and State equal
14 employment opportunity and affirmative action
15 agencies.

16 **SEC. 5. STATE GRANTS TO PARTNERSHIPS.**

17 (a) IN GENERAL.—

18 (1) ALLOCATIONS AUTHORIZED.—A State re-
19 ceiving funds under section 4 shall allocate the funds
20 not reserved to carry out the statewide activities de-
21 scribed in section 4(c) to eligible entities in the State
22 to support the recruitment, training, placement, and
23 retention of women in nontraditional occupations.

24 (2) ALLOCATION DURATION.—An allocation
25 under this section to an eligible entity shall be made

1 for not more than 2 years with the possibility of a
2 multi-year renewal upon submission of a renewal ap-
3 plication containing information—

4 (A) about the effectiveness of the services
5 and activities provided under subsection (d)(1)
6 using the funds made available under the first
7 allocation; and

8 (B) any such additional information as the
9 Secretary may require.

10 (3) ALLOCATION AMOUNT.—An allocation
11 under this section to an eligible entity shall be of
12 sufficient size and scope to support the effective im-
13 plementation of the services and activities described
14 in subsection (d)(1).

15 (b) APPLICATION PROCESS.—An eligible entity that
16 desires to receive funds under this section shall submit an
17 application to the designated State agency. Such applica-
18 tion shall provide a plan detailing the roles and respon-
19 sibilities of partnership members and how funds will be
20 used in conjunction with funding from other public or pri-
21 vate sources to carry out the activities described in sub-
22 section (d).

23 (c) PRIORITIES.—In allocating funds under this sec-
24 tion, a State agency shall give priority to eligible entities
25 that—

1 (1) include entities with demonstrated success
2 in recruiting and preparing low-income women for
3 nontraditional occupations, and local workforce
4 boards established under the Workforce Investment
5 Act; or

6 (2) leverage additional public and private re-
7 sources to fund training programs, including cash or
8 in-kind matches from employers.

9 (d) USE OF FUNDS.—

10 (1) SERVICES AND ACTIVITIES.—An eligible en-
11 tity receiving funds under this section shall—

12 (A) conduct public education and outreach
13 designed to overcome stereotypes and develop
14 family support and encouragement;

15 (B) recruit low-income women for careers
16 in nontraditional occupations and provide com-
17 prehensive career guidance and counseling, in-
18 cluding regional labor market information and
19 projections about nontraditional jobs and salary
20 information;

21 (C) conduct individual assessments and
22 employment counseling, including instruction on
23 the use of online job search databases;

24 (D) assist low-income women to access
25 programs leading to a degree, industry recog-

1 nized certificate or credential, and apprentice-
2 ship programs that will prepare them for high-
3 demand, high-skill occupations, including pro-
4 viding information about—

5 (i) the quality and cost of the pro-
6 grams;

7 (ii) available financial aid; and

8 (iii) the use of self-sufficiency calcula-
9 tors where available;

10 (E) conduct education and pre-apprentice-
11 ship and pre-employment skill development ac-
12 tivities including basic skills, education, literacy,
13 including financial literacy, and training;

14 (F) coordinate with public secondary edu-
15 cation institutions to improve the transition of
16 participants into—

17 (i) an institution of higher education
18 (as defined in section 101 of the Higher
19 Education Act of 1965 (20 U.S.C. 1001));

20 (ii) a program of study (as described
21 in section 122(c)(1)(A) of the Carl D. Per-
22 kins Career and Technical Education Act
23 of 2006 (20 U.S.C. 2342(c)(1)(A)); or

24 (iii) a registered apprenticeship pro-
25 gram;

1 (G) engage in necessary activities for the
2 recruitment, preparation, placement, and reten-
3 tion of participants in registered apprentice-
4 ships, and postsecondary training programs,
5 and permanent employment;

6 (H) provide access to pre- and post-place-
7 ment supportive services such as child care,
8 transportation, tools, application fees, dues,
9 needs-based payments or stipends, and
10 mentorships as may be necessary to complete
11 training and retain employment;

12 (I) develop or obtain curricula, handbooks,
13 tools and equipment;

14 (J) build capacity through staff training,
15 organizational development and technology up-
16 grades;

17 (K) engage in activities requested by the
18 national clearinghouse established pursuant to
19 section 9;

20 (L) develop incentives for employers and
21 sponsors of registered apprenticeship program
22 to retain women in nontraditional occupations
23 for more than 6 months;

24 (M) provide technical assistance to employ-
25 ers on how to create a safe and healthy work-

1 place environment designed to retain and ad-
2 vance women, including best practices for ad-
3 dressing sexual harassment;

4 (N) provide post-placement assistance to
5 participants in order to promote employment
6 retention, including exit interviews, mentoring,
7 networking and leadership development for
8 women employed in the field; and

9 (O) develop and collect data, consistent
10 with the requirements of the Workforce Invest-
11 ment Act of 1998, to track women by race, eth-
12 nicity, and age throughout the process and es-
13 tablish benchmarks such as numbers contacted
14 through outreach, placement into training and
15 completion rates, and employment outcomes, in-
16 cluding earnings progression.

17 (2) TARGET PARTICIPANTS.—In providing serv-
18 ices and activities described in paragraph (1), eligi-
19 ble entities shall target women with family incomes
20 below the local self-sufficiency standard, when avail-
21 able, or women in families with income of less than
22 200 percent of the poverty threshold (as determined
23 by the Bureau of the Census).

24 (e) SUPPLEMENT, NOT SUPPLANT.—Funds provided
25 under this section shall supplement and not supplant other

1 Federal, State, or local funds that would, in the absence
2 of funds provided under this section, be available for the
3 purposes described in this section.

4 **SEC. 6. ALLOCATIONS TO ELIGIBLE ENTITIES.**

5 (a) ALLOCATIONS.—

6 (1) IN GENERAL.—In any year in which the
7 total amount appropriated under section 11 is an
8 amount less than \$50,000,000, the Secretary of
9 Labor shall, from the amount appropriated under
10 section 11 to carry out this section, allocate funds
11 to eligible entities to support the recruitment, train-
12 ing, placement, and retention of women in nontradi-
13 tional occupations.

14 (2) ALLOCATION DURATION.—An allocation
15 under this section shall be made to an eligible entity
16 for not more than 2 years with the possibility of
17 multi-year renewals upon submission of a renewal
18 application containing information—

19 (A) about the effectiveness of the services
20 and activities provided under section (5)(d)(1)
21 using the funds made available under the first
22 allocation; and

23 (B) any such additional information as the
24 Secretary may require.

1 (3) ALLOCATION AMOUNT.—An allocation
2 under this section to an eligible entity shall be of
3 sufficient size and scope to support the effective im-
4 plementation of the services and activities described
5 in subsection (d).

6 (b) APPLICATION.—An eligible entity desiring to re-
7 ceive an allocation under this section shall submit an ap-
8 plication to the Secretary of Labor at such time, in such
9 manner, and containing such information as the Secretary
10 may require. An application shall provide a plan detailing
11 the roles and responsibilities of partnership members and
12 how funds will be used in conjunction with funding from
13 other public or private sources to carry out the services
14 and activities described in subsection (d).

15 (c) PRIORITY.—In awarding grants under this sec-
16 tion, the Secretary of Labor shall give priority to eligible
17 entities that—

18 (1) include entities with demonstrated success
19 in recruiting and preparing low-income women for
20 nontraditional occupations, and local workforce
21 boards created under the Workforce Investment Act;
22 or

23 (2) leverage additional public and private re-
24 sources to fund training programs, including cash or
25 in-kind matches from participating employers.

1 (d) USES OF FUNDS.—An eligible entity receiving
2 funds under this section shall use such funds to carry
3 out the services and activities described in section 5(d).

4 (e) SUPPLEMENT, NOT SUPPLANT.—Funds provided
5 under this section shall supplement and not supplant other
6 Federal, State, or local funds that would, in the absence
7 of funds provided under this section, be available for the
8 purposes described in this section.

9 **SEC. 7. NATIONAL COMMISSION ON THE STATUS OF**
10 **WOMEN IN HIGH-DEMAND AND HIGH-WAGE**
11 **NONTRADITIONAL OCCUPATIONS.**

12 (a) IN GENERAL.—The Secretary of Labor, in con-
13 sultation with the Secretary of Education, shall convene
14 a national commission (in this section referred to as the
15 “Commission”) for the purpose of examining and making
16 recommendations for improving the status of women in
17 high-demand, high-wage nontraditional occupations.

18 (b) MEMBERSHIP.—The Commission shall include 30
19 members, of which 15 members shall be appointed by the
20 President, 5 members by the Speaker and 3 members by
21 the minority leader of the House of Representatives, and
22 4 members by the majority leader and 3 members by the
23 minority leader of the Senate. Members shall include rep-
24 resentatives from—

1 (1) business or trade associations in industries
2 with high-wage, high-demand nontraditional occupa-
3 tions and sponsors of registered apprenticeship pro-
4 gram;

5 (2) women’s organizations and other nonprofit
6 organizations serving low-income women;

7 (3) labor unions and labor-management organi-
8 zations;

9 (4) high school and public postsecondary edu-
10 cation institutions;

11 (5) State workforce and economic development
12 agencies or agencies responsible for the Workforce
13 Investment Act and the Carl D. Perkins Career and
14 Technical Education Act; and

15 (6) academics, researchers, and other stake-
16 holders.

17 A minimum of 10 members must have demonstrated expe-
18 rience in serving low-income women.

19 (c) DUTIES.—The duties of the Commission shall be
20 to—

21 (1) develop a 5-year plan to encourage the full
22 participation of women in high-wage, high-demand
23 nontraditional occupations;

24 (2) hold hearings on the national and regional
25 levels on the goal of ending gender segregation in oc-

1 occupations, particularly the underrepresentation of
2 women in high-demand, high-wage occupations;

3 (3) recommend policies and programs, including
4 the establishment of sanctions and bonuses for Fed-
5 eral contractors in designated sectors and the use of
6 on-site equal opportunity monitors on all large feder-
7 ally funded projects; and

8 (4) submit its progress report and policy rec-
9 ommendations to Congress and related Federal
10 agencies not later than 1 year after the Commission
11 is convened and every 2 years thereafter.

12 **SEC. 8. DATA COLLECTION AND REPORTING.**

13 The Bureau of Labor Statistics shall collect data on
14 the status of women's participation in underrepresented
15 sectors of the economy and shall examine the status of
16 women in relation to that of men. Such data shall in-
17 clude—

18 (1) the gender, race, age of participants, includ-
19 ing cross tabulations of those three;

20 (2) occupation;

21 (3) geography;

22 (4) advancement salary;

23 (5) pay equity within categories within occupa-
24 tions; and

1 (6) assignment disparity measured as through
2 income and hours worked.

3 The Bureau shall collect such information on an annual
4 basis and submit it to relevant Federal agencies (including
5 the Departments of Labor, Education, Commerce, the
6 commission established under section 6, and to Congress.

7 The Bureau shall also make such information available to
8 the public on the Bureau's Web site.

9 **SEC. 9. NATIONAL CLEARINGHOUSE.**

10 The Secretary of Labor, in consultation with the Sec-
11 retary of Education, shall establish a national clearing-
12 house to collect and distribute best practices. The clearing-
13 house shall—

14 (1) convene national and regional meetings and
15 conferences to bring together stakeholders at all lev-
16 els;

17 (2) collect and disseminate best practices of col-
18 laborative models for the recruitment, preparation,
19 placement and retention of women in nontraditional
20 employment;

21 (3) provide legal, policy and technical assistance
22 in order to sustain and advance the promotion, em-
23 ployment and retention of women in high-wage,
24 high-demand nontraditional occupations; and

1 (4) develop and conduct a national training pro-
2 gram, including through distance learning, for staff,
3 partners and board members of grantees and sub-
4 grantees.

5 **SEC. 10. EVALUATION.**

6 (a) **EVALUATION.**—Beginning 2 years after the date
7 of the enactment of this Act, the Secretary shall conduct
8 an independent, comprehensive, and scientifically sound
9 evaluation, by grant or contract and using the highest
10 quality research design available, of the impact of activi-
11 ties carried out under this Act in promoting the economic
12 self-sufficiency of low-income women through their in-
13 creased participation in high-wage, high-demand occupa-
14 tions where they currently represent 25 percent or less of
15 the workforce.

16 (b) **REPORT.**—Not later than 4 years after the date
17 of the enactment of this Act, and biannually thereafter,
18 the Secretary shall submit to Congress a report on the
19 results of the evaluation described in subsection (a).

20 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated
22 \$100,000,000 to the Secretary of Labor to carry out this
23 Act, of which a minimum of \$3,000,000 is authorized to
24 be used to carry out sections 8 and 9.

○