

117TH CONGRESS
1ST SESSION

S. 1212

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2021

Mr. DURBIN (for himself, Mr. WARNOCK, and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To address the needs of workers in industries likely to be impacted by rapidly evolving technologies.

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 “Investing in Tomor-
5 row’s Workforce Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) In 2014, the United States spent just 0.1
9 percent of the Nation’s Gross Domestic Product on
10 labor market policies, less than half of what the

1 United States spent on labor market policies 30
2 years ago.

3 (2) The number of workers receiving federally
4 supported training has declined in the past 3 dec-
5 ades as advances in technology have simultaneously
6 shifted labor market demand over time.

7 (3) Job losses from automation are more likely
8 to impact women, people of color, and workers mak-
9 ing less than \$40,000 annually.

10 (4) The COVID–19 pandemic has accelerated
11 trends in automation, with 43 percent of businesses
12 in the World Economic Forum’s Future of Jobs sur-
13 vey indicating they plan to reduce their workforce as
14 a result of technology integration.

15 (5) Strong Federal investment in expanding
16 training services for workers whose jobs may be lost
17 due to automation could prepare the United States
18 workforce to better adapt to changes in the labor
19 market and enter into skilled positions in techno-
20 logically oriented occupations and industries.

21 (6) A focus on preparing the workforce of the
22 United States for jobs that utilize advanced tech-
23 nologies could grow wages, increase economic pro-
24 ductivity, and boost the competitiveness of the
25 United States.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **AUTOMATION.**—The term “automation”
4 means a device, process, or system that functions
5 without continuous input from an operator, includ-
6 ing—

7 (A) advanced technologies, such as—

8 (i) data collection, classification proc-
9 essing, and analytics; and

10 (ii) 3–D printing, digital design and
11 simulation, and digital manufacturing;

12 (B) robotics, including collaborative robot-
13 ics, and worker augmentation technology;

14 (C) autonomous vehicle technology; or

15 (D) autonomous machinery technology.

16 (2) **DISLOCATED WORKER.**—The term “dis-
17 located worker” has the meaning given the term in
18 section 3 of the Workforce Innovation and Oppor-
19 tunity Act (29 U.S.C. 3102).

20 (3) **IN-DEMAND INDUSTRY SECTOR OR OCCUPA-**
21 **TION.**—The term “in-demand industry sector or oc-
22 cupation” has the meaning given the term in section
23 3 of that Act.

24 (4) **INTEGRATED EDUCATION AND TRAINING.**—
25 The term “integrated education and training” has

1 the meaning given the term in section 203 of that
2 Act (29 U.S.C. 3272).

3 (5) ELIGIBLE PARTNERSHIP.—The term “eligi-
4 ble partnership” means an industry or sector part-
5 nership, as defined in section 3 of that Act, except
6 that—

7 (A) for purposes of applying paragraph
8 (26)(A)(iii) of that section, the term “institu-
9 tion of higher education” has the meaning given
10 the term in section 101 of the Higher Edu-
11 cation Act of 1965 (20 U.S.C. 1001); and

12 (B) the partnership shall include, in addi-
13 tion to the representatives described in clauses
14 (i) through (iii) of paragraph (26)(A) of that
15 section, representatives of—

16 (i) a State workforce development
17 board or a local workforce development
18 board; and

19 (ii) an economic development organi-
20 zation.

21 (6) GAO STUDY ON AUTOMATION.—The term
22 “GAO study on automation” means the study on au-
23 tomation conducted by the Comptroller General of
24 the United States, as directed in House Report 116–
25 450 (incorporated in the explanatory statement re-

1 garding the Consolidated Appropriations Act, 2021
 2 (Public Law 116–260) in accordance with section 4
 3 of such Act).

4 (7) LOCAL AND STATE WORKFORCE DEVELOP-
 5 MENT BOARDS.—The terms “local workforce devel-
 6 opment board” and “State workforce development
 7 board” have the meanings given the terms “local
 8 board” and “State board”, respectively, in section 3
 9 of the Workforce Innovation and Opportunity Act
 10 (29 U.S.C. 3102).

11 (8) SECRETARY.—The term “Secretary” means
 12 the Secretary of Labor.

13 (9) TRAINING SERVICES.—The term “training
 14 services” means training services described in sec-
 15 tion 134(c)(3)(D) of that Act (29 U.S.C.
 16 3174(c)(3)(D)).

17 **SEC. 4. GRANTS TO IMPROVE TRAINING FOR WORKERS IM-**
 18 **PACTED BY AUTOMATION.**

19 (a) GRANTS AUTHORIZED.—

20 (1) IN GENERAL.—From the amounts appro-
 21 priated under subsection (g) and beginning after the
 22 earlier of the date of submission of the GAO study
 23 on automation or October 1, 2022, the Secretary of
 24 Labor shall award grants, on a competitive basis, to
 25 eligible partnerships to support demonstration and

1 pilot projects relating to the training needs of work-
2 ers who are, or are likely to become, dislocated work-
3 ers as a result of automation.

4 (2) DURATION.—A grant awarded under this
5 section shall be for a period not to exceed 4 years.

6 (3) USE OF REPORT.—The Secretary shall use
7 the GAO study on automation to inform the grant
8 program carried out under this section.

9 (b) APPLICATIONS.—

10 (1) IN GENERAL.—To be eligible to receive a
11 grant under this section, an eligible partnership shall
12 submit an application to the Secretary at such time,
13 in such manner, and containing such information as
14 the Secretary shall reasonably require.

15 (2) CONTENTS.—Each application submitted
16 under paragraph (1) shall include a description of
17 the demonstration or pilot project to be completed
18 with the grant funds, which description shall in-
19 clude—

20 (A) a description of the members of the el-
21 igible partnership who will be involved in the
22 demonstration or pilot program and the services
23 each member will provide;

24 (B) a description of the training services
25 that will be available to individuals participating

1 in the demonstration or pilot project, which
 2 may include—

3 (i) a plan to train dislocated workers
 4 from industries likely to be impacted by
 5 automation and transition the workers into
 6 regionally in-demand industry sectors or
 7 occupations; and

8 (ii) a plan to partner with local busi-
 9 nesses to retrain, upskill, and re-deploy
 10 workers within an industry as an alter-
 11 native to layoffs;

12 (C) a plan to provide workers with tech-
 13 nology-based skills training, which may include
 14 training to provide skills related to coding, sys-
 15 tems engineering, or information technology se-
 16 curity, in addition to other skills; and

17 (D) a description of the goals that the eli-
 18 gible partnership intends to achieve to upskill
 19 workers and prepare them for in-demand indus-
 20 try sectors or occupations.

21 (c) PRIORITIES.—In awarding grants under this sec-
 22 tion, the Secretary shall give priority to—

23 (1) eligible partnerships that are located in an
 24 area with a high concentration of—

1 (A) industries with a higher likelihood of
2 being impacted by automation; or

3 (B) industries included in in-demand in-
4 dustry sectors, as determined under subpara-
5 graphs (A)(i) and (B) of section 3(23) of the
6 Workforce Innovation and Opportunity Act (29
7 U.S.C. 3102(23));

8 (2) eligible partnerships—

9 (A) with a plan to provide incumbent
10 worker training—

11 (i) to assist workers in obtaining the
12 skills necessary to retain employment or
13 avert layoffs; or

14 (ii) that allows a worker working for
15 an employer to acquire new skills that
16 allow the worker to obtain a higher-skilled
17 or higher-paid position with such employer;
18 and

19 (B) that partner with local employers that
20 intend to backfill the pre-training positions of
21 the incumbent workers by hiring new workers
22 to fill those positions;

23 (3) eligible partnerships that will provide work-
24 ers with a transportation stipend, paid sick leave,

1 paid family and medical leave, access to child care
2 services, or other employment benefits; or

3 (4) eligible partnerships with a plan to develop
4 a shared training curriculum that can be used across
5 local and regional networks of employers and train-
6 ing providers.

7 (d) USE OF FUNDS.—An eligible partnership that re-
8 ceives a grant under this section shall use the grant funds
9 for 1 or more of the following:

10 (1) Providing training services under the dem-
11 onstration or pilot project, which may include train-
12 ing services that prepare workers for in-demand in-
13 dustry sectors or occupations.

14 (2) Providing assistance for employers in devel-
15 oping a staff position for an individual who will be
16 responsible for supporting training services provided
17 under the grant.

18 (3) Purchasing equipment or technology nec-
19 essary for training services provided under para-
20 graph (1).

21 (4) Providing job search and other transitional
22 assistance to workers in industries with high rates of
23 job loss.

24 (5) Providing a training stipend to workers for
25 training services.

1 (6) Providing integrated education and train-
2 ing.

3 (e) REPORT.—Not later than 1 year after an eligible
4 partnership’s completion of a demonstration or pilot
5 project supported under this section, the eligible partner-
6 ship shall prepare and submit to the Secretary a report
7 regarding—

8 (1) the number of workers who received train-
9 ing services through the demonstration or pilot
10 project, disaggregated by type of training service
11 and the age, gender, and race of the workers;

12 (2) the number of such workers who success-
13 fully transitioned into a new position following com-
14 pletion of the training services;

15 (3) the number of individuals who successfully
16 transitioned into an in-demand industry sector or oc-
17 cupation following completion of the training serv-
18 ices;

19 (4) annual earnings data for individuals who
20 have completed training services through the dem-
21 onstration or pilot project;

22 (5) the percentage of individuals described in
23 paragraph (4) who are in education or training ac-
24 tivities, or in employment, during the second quarter
25 after exit from the training services;

1 (6) the percentage of individuals described in
2 paragraph (4) who are in education or training ac-
3 tivities, or in employment, during the fourth quarter
4 after exit from the training services; and

5 (7) any practices used by the partnership that
6 should be considered best practices with respect to
7 training workers in industries that have, or are ex-
8 pected to have, high rates of job loss as a result of
9 automation.

10 (f) GENERAL REQUIREMENTS.—An eligible partner-
11 ship that receives a grant under this section shall use the
12 grant funds in a manner that is consistent with the labor
13 standards and protections described in section 181 of the
14 Workforce Innovation and Opportunity Act (29 U.S.C.
15 3241) and nondiscrimination provisions described in sec-
16 tion 188 of such Act (29 U.S.C. 3248).

17 (g) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 such sums as may be necessary for the first 5 full fiscal
20 years beginning after the earlier of the date of submission
21 of the GAO study on automation or October 1, 2022.

22 **SEC. 5. EXPANSION OF WORKER TRAINING SERVICES.**

23 (a) ADULT AND DISLOCATED WORKER EMPLOY-
24 MENT AND TRAINING.—Section 134(d)(1)(A) of the

1 Workforce Innovation and Opportunity Act (29 U.S.C.
2 3174(d)(1)(A)) is amended—

3 (1) in clause (xi), by striking “and” at the end;

4 (2) in clause (xii), by striking the period and in-
5 serting “; and”; and

6 (3) by adding at the end the following:

7 “(xiii) training programs for individ-
8 uals who are, or are likely to become, dis-
9 located workers as a result of automation,
10 including activities that prepare the indi-
11 viduals for occupations in the technology
12 sector.”.

13 (b) NATIONAL DISLOCATED WORKER GRANTS.—Sec-
14 tion 170 of the Workforce Innovation and Opportunity Act
15 (29 U.S.C. 3225) is amended—

16 (1) in subsection (b)(1)(A), by inserting “ad-
17 vances in automation technology,” before “plant clo-
18 sures,”; and

19 (2) by adding at the end the following:

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—In ad-
21 dition to any funds reserved under section 132(a)(2)(A)
22 to carry out this section, there are authorized to be appro-
23 priated to carry out this section \$40,000,000 for each of
24 fiscal years 2022 through 2026.”.

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