

103D CONGRESS
1ST SESSION

H. R. 91

To provide grants to States for the purpose of providing workplace services to small businesses.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. KILDEE introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide grants to States for the purpose of providing workplace services to small businesses.

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 “Workplace Education
5 and High Performance Workforce Act of 1993”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to assist small businesses in establishing
9 workplace education programs to improve the pro-
10 ductivity of such businesses;

1 (2) to assist small businesses in introducing
2 new technologies and the reorganization of work;
3 and

4 (3) to assist institutions of higher education
5 and other suitable education providers in providing
6 workplace services to small businesses.

7 **SEC. 3. DEFINITIONS.**

8 For purposes of this Act, the following definitions
9 apply:

10 (1) INSTITUTION OF HIGHER EDUCATION.—The
11 term “institution of higher education” has the
12 meaning given such term in section 1201(a) of the
13 Higher Education Act of 1965 (20 U.S.C. 1141(a)).

14 (2) NEW TECHNOLOGIES.—The term “new
15 technologies” means equipment, processes, and tech-
16 niques that have not previously been utilized by a
17 business that will improve the productivity of such
18 business.

19 (3) REORGANIZATION OF WORK.—The term
20 “reorganization of work” means the processes and
21 techniques for directing the work of employees that
22 have not previously been utilized by a business that
23 will improve the productivity of such business.

24 (4) SECRETARY.—The term “Secretary” means
25 the Secretary of Labor.

1 (5) SMALL BUSINESS.—The term “small busi-
2 ness” means an independently incorporated, for-
3 profit business that employs 500 or fewer full-time
4 employees.

5 (6) WORKFORCE SPECIALIST.—The term
6 “workforce specialist” means an individual with ex-
7 perience in improving the productivity of businesses
8 through such methods as total quality management,
9 statistical process control, the development of work
10 teams and quality circles, reduction of management
11 layers and oversight and enhancing the responsibility
12 of front-line workers, introduction of just-in-time or
13 computer integrated production, and increased gen-
14 eral or job-specific training.

15 (7) WORKPLACE EDUCATION.—The term
16 “workplace education” means employer-sponsored
17 instruction provided to employees which—

18 (A) shall include instruction in reading,
19 writing, mathematics, or English as a second
20 language; and

21 (B) may include instruction in problem
22 solving, interpersonal communications, team-
23 work, and other work-related basic skills.

24 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

25 (a) IN GENERAL.—

1 (1) TITLE I.—There are authorized to be ap-
2 propriated \$5,000,000 for each of the fiscal years
3 1994 through 1998 to carry out title I.

4 (2) TITLE II.—There are authorized to be ap-
5 propriated \$50,000,000 for fiscal year 1994,
6 \$60,000,000 for fiscal year 1995, and \$100,000,000
7 for each of the fiscal years 1996 through 1998, to
8 carry out title II.

9 (b) AVAILABILITY.—Amounts authorized to be appro-
10 priated under subsection (a) shall remain available until
11 expended.

12 **TITLE I—OFFICE OF WORK-**
13 **PLACE EDUCATION AND HIGH**
14 **PERFORMANCE WORK**

15 **SEC. 101. ESTABLISHMENT.**

16 The Secretary of Labor shall establish in the Employ-
17 ment and Training Administration an Office of Workplace
18 Education and High Performance Work (in this Act re-
19 ferred to as the “Federal office”).

20 **SEC. 102 DIRECTOR.**

21 The Federal office shall be headed by a Director (in
22 this title referred to as the “Director”), who shall be paid
23 at a rate equal to level 5 of the Executive Schedule.

24 **SEC. 103. DUTIES.**

25 The Secretary, acting through the Director, shall—

1 (1) carry out the grant program established
2 under section 201(a);

3 (2) establish standards for the employment,
4 qualifications, training, and activities of workforce
5 specialists described in section 203(b)(3);

6 (3) conduct programs of research and analysis,
7 which may include demonstration programs, to de-
8 termine how small businesses can more effectively
9 implement workplace education programs;

10 (4) develop and disseminate information on the
11 introduction of new technologies and the reorganiza-
12 tion of work by small businesses by—

13 (A) identifying sources of expertise of such
14 technologies and reorganization of work in Fed-
15 eral, State, and local agencies (including the
16 Department of Commerce, the National Science
17 Foundation, and the Small Business Adminis-
18 tration);

19 (B) forming cooperative relationships with
20 appropriate Federal agencies to determine how
21 small businesses can more effectively implement
22 such new technologies and reorganization of
23 work; and

24 (C) encouraging and assisting labor orga-
25 nizations, educational organizations, businesses

1 and other private organizations to provide infor-
2 mation and technical assistance to small busi-
3 nesses regarding workplace education, new tech-
4 nologies, and the reorganization of work.

5 **SEC. 104. REPORTS TO CONGRESS.**

6 Not later than September 30, 1994, and at the end
7 of each fiscal year thereafter, the Secretary shall submit
8 to the President and the Congress a report containing—

9 (1) a compilation of the information contained
10 in the State reports received by the Secretary under
11 section 207; and

12 (2) an evaluation of the effectiveness of the
13 grant program authorized under section 201(a).

14 **TITLE II—WORKPLACE EDU-**
15 **CATION AND WORKFORCE**
16 **GRANT PROGRAM**

17 **SEC. 201. AUTHORIZATION.**

18 (a) IN GENERAL.—The Secretary shall, from
19 amounts appropriated pursuant to section 4(a)(2), provide
20 grants to States for the purpose of establishing programs
21 to improve the productivity of small businesses in such
22 States.

23 (b) PERIOD OF GRANTS.—A grant received under
24 subsection (a) may extend for a period of not more than
25 5 fiscal years. The payments under such grant shall be

1 subject to annual approval by the Secretary and subject
2 to the availability of appropriations for each fiscal year.

3 **SEC. 202. APPLICATION.**

4 The Secretary may provide a grant to a State under
5 section 201(a) only if such State submits to the Secretary
6 an application which contains—

7 (1) a plan containing the number of workforce
8 service districts to be established by the State office
9 in accordance with section 203(b)(2); and

10 (2) such other information as the Secretary
11 may reasonably require.

12 **SEC. 203. USE OF FUNDS.**

13 (a) ESTABLISHMENT OF PROGRAM.—A State shall
14 use amounts received from a grant under section 201(a)
15 to establish a program to improve the productivity of small
16 businesses in such State.

17 (b) CONDUCT OF PROGRAM.—In conducting the pro-
18 gram established under subsection (a), the State shall
19 meet the following requirements:

20 (1) ESTABLISHMENT OF STATE OFFICE OF
21 WORKPLACE EDUCATION AND HIGH PERFORMANCE
22 WORK.—

23 (A) IN GENERAL.—Subject to subpara-
24 graph (B), the State shall establish a State of-
25 fice of workplace education and high perform-

1 ance work (in this Act referred to as the “State
2 office”) in 1 of the following entities:

3 (i) A State agency that has respon-
4 sibility for education, training, or economic
5 development policy.

6 (ii) An institution of higher education
7 located in such State.

8 (B) EXCEPTION.—In the case of a State
9 that has established an entity comparable to the
10 State office described in subparagraph (A),
11 such State may, upon the approval of the Sec-
12 retary, designate such entity as the State office
13 for purposes of such subparagraph.

14 (2) ESTABLISHMENT OF WORKPLACE SERVICE
15 DISTRICTS.—

16 (A) IN GENERAL.—Subject to subpara-
17 graph (B), the State office shall establish work-
18 place service districts throughout the State—

19 (i) each of which contains at least 1
20 institution of higher education which has
21 existing workplace education programs (or
22 will establish such programs not later than
23 the date on which the State in which such
24 institution is located will receive amounts
25 from a grant under section 201(a)), to pro-

1 vide small businesses with access to work-
2 place services; and

3 (ii) which are of a sufficient number
4 in order to allow ease of access by small
5 businesses located in the State to utilize
6 the services provided at such institutions of
7 higher education.

8 (B) REQUIREMENTS.—In establishing
9 workplace service districts, the State office
10 shall—

11 (i) if the amount of the grant received
12 by the State under section 201(a) is great-
13 er than an amount equal to \$100,000 mul-
14 tiplied by the number of such districts pro-
15 posed to be established by the State in its
16 application, hire and place at least 1
17 workforce specialist who meets the stand-
18 ards established by the Secretary under
19 section 103(2), including necessary support
20 staff, at an institution of higher education
21 in each district; and

22 (ii) if the amount of the grant re-
23 ceived by the State under section 201(a) is
24 less than an amount equal to \$100,000
25 multiplied by the number of such districts

1 proposed to be established by the State in
2 its application, place at least 1 such
3 workforce specialist, including necessary
4 support staff, at an institution of higher
5 education in each district that the State of-
6 fice determines to be appropriate.

7 (3) DUTIES OF WORKFORCE SPECIALISTS.—
8 Each workforce specialist hired by a State office and
9 placed at an institution of higher education under
10 paragraph (2)(B) shall—

11 (A) serve as a local point of contact for
12 small businesses interested in workplace serv-
13 ices;

14 (B) provide workplace services to individ-
15 ual small businesses by analyzing the needs of
16 such businesses for the purpose of—

17 (i) designing workplace education pro-
18 grams that will improve the productivity of
19 such businesses; and

20 (ii) introducing new technologies and
21 the reorganization of work at such busi-
22 nesses;

23 (C) refer small businesses to other suitable
24 education providers for the purpose of providing
25 workplace services to such businesses, provided

1 that each such business shall reimburse such
2 provider in an amount equal to at least 75 per-
3 cent of the cost of the services attributable to
4 such business, including instructional time, ma-
5 terials, and facilities;

6 (D) assist in negotiating financial,
7 logistical, and other arrangements between
8 small businesses and other suitable education
9 providers;

10 (E) provide technical assistance and train-
11 ing to the staff of suitable education providers
12 described in subparagraph (C) for the purpose
13 of providing workplace services to small busi-
14 nesses;

15 (F) encourage other small businesses and
16 labor groups to provide such services; and

17 (G) provide small businesses with general
18 information on workplace services.

19 (4) COOPERATION WITH WORKFORCE SPECIAL-
20 ISTS.—The State office shall encourage local edu-
21 cational agencies and other local agencies, small
22 businesses, labor organizations, community-based or-
23 ganizations, and other private organizations to co-
24 operate with workforce specialists described in para-
25 graph (3).

1 (5) OVERSIGHT OF WORKFORCE SPECIAL-
2 ISTS.—The State office shall monitor and supervise
3 the activities of each workforce specialist described
4 in paragraph (3).

5 (6) WORKPLACE SERVICE INFORMATION.—The
6 State office shall produce and disseminate informa-
7 tion to the entities described in paragraph (4) and
8 the general public on workplace services, including
9 the need for and means of implementing workplace
10 education programs, the introduction of new tech-
11 nologies, and the reorganization of work.

12 (7) SOURCES OF EXPERTISE AND TECHNICAL
13 ASSISTANCE.—The State office shall—

14 (A) identify Federal, State, and local
15 sources of expertise and technical assistance
16 that can assist small businesses in implement-
17 ing workplace education programs, the intro-
18 duction of new technologies, and the reorganiza-
19 tion of work; and

20 (B) develop cooperative and collaborative
21 relationships with such sources of expertise.

22 (8) RESEARCH AND DEMONSTRATION PRO-
23 GRAMS.—The State office shall conduct research and
24 demonstration programs to promote the understand-
25 ing and acceptance of workplace education and en-

1 courage the use of and improvement of state-of-the-
2 art workplace services.

3 (9) STATEWIDE OR REGIONAL TRAINING PRO-
4 GRAMS.—The State office shall, in conjunction with
5 the Federal office and workforce specialists, conduct
6 Statewide or regional training programs for teachers
7 and administrators at institutions of higher edu-
8 cation, small businesses, labor organizations, com-
9 munity-based organizations, and other individuals
10 and entities that are engaged, or wish to become en-
11 gaged, in the provision of workplace services.

12 (10) SUPPLEMENTAL GRANT PROGRAM.—

13 (A) IN GENERAL.—(i) Subject to clause
14 (ii), the State office shall provide grants to
15 small businesses for the purpose of improving
16 the productivity of such businesses.

17 (ii) The State office shall use not more
18 than 15 percent of amounts received from a
19 grant under section 201(a) to provide grants
20 under clause (i).

21 (B) APPLICATION.—To receive a grant
22 under subparagraph (A)(i), a small business
23 shall submit an application to the State office
24 at such time, in such form, and containing such

1 information as the office may reasonably re-
2 quire.

3 (C) USE OF FUNDS.—Grants made under
4 subparagraph (A)(i) may be used by a small
5 business only to—

6 (i) carry out workplace education pro-
7 grams at such business;

8 (ii) introduce new technologies at such
9 business; and

10 (iii) provide for the reorganization of
11 work at such business.

12 (D) AMOUNT OF GRANT.—The State office
13 may not make grants under subparagraph
14 (A)(i) to any small business in an amount equal
15 to or more than \$25,000.

16 (E) ALLOCATION.—The State office shall
17 provide at least 60 percent of amounts used to
18 provide grants under subparagraph (A)(i) to
19 small businesses with 50 or fewer employees.

20 (11) EVALUATIONS.—At the end of each fiscal
21 year in which the Secretary makes payments to a
22 State under a grant under section 201(a), the State
23 office in such State shall conduct a quantitative eval-
24 uation of the effectiveness of the program estab-
25 lished under subsection (a) in improving corporate

1 productivity through workplace education, the intro-
2 duction of new technologies, and the reorganization
3 of work.

4 (c) ADMINISTRATIVE COSTS.—Of the amount re-
5 ceived by a State from a grant under section 201(a) for
6 any fiscal year, not more than 10 percent of such amount
7 may be used to pay the administrative costs of the pro-
8 gram established under subsection (a).

9 **SEC. 204. MATCHING FUNDS.**

10 The Secretary may not make a grant to a State under
11 section 201(a) unless such State agrees to provide non-
12 Federal funds for the purpose of conducting the program
13 under section 203(b) in an amount equal to not less than
14 20 percent of the Federal funds provided to the State in
15 each of the first two fiscal years that it receives amounts
16 from a grant, and not less than 30 percent of the Federal
17 funds that the State receives from such grant in each sub-
18 sequent fiscal year.

19 **SEC. 205. ALLOCATION.**

20 (a) IN GENERAL.—In providing grants under section
21 201(a), the Secretary shall award grants in a greater
22 amount to States with larger populations, as determined
23 by the Secretary.

24 (b) LIMITATION.—The Secretary may not provide
25 grants under section 201(a) in a fiscal year to any State

1 in an amount totaling more than 10 percent of amounts
2 appropriated pursuant to section 4(a)(2) for that fiscal
3 year.

4 **SEC. 206. MAINTENANCE OF EFFORT.**

5 The Secretary may not make a grant to a State under
6 section 201(a) unless such State agrees to maintain its
7 aggregate expenditures for programs to improve the pro-
8 ductivity of small businesses in such State at or above the
9 average level of such expenditures in the fiscal year pre-
10 ceding the fiscal year for which the State is applying to
11 receive the grant.

12 **SEC. 207. STATE REPORTS.**

13 The Secretary may not make a grant to a State under
14 section 201(a) unless such State agrees to submit to the
15 Secretary, in each fiscal year in which the Secretary makes
16 payments under such grant to such State, a report con-
17 taining—

18 (1) a description of the program established by
19 such State under section 203(a), including a sum-
20 mary of the evaluation of such program conducted
21 under section 203(b)(11);

22 (2) the number of small businesses receiving as-
23 sistance under such program; and

24 (3) any other information as the Secretary may
25 reasonably require.



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