

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 690

To amend the National Literacy Act of 1991 to establish in the Department of Labor an Office of Workplace Education to provide workplace education services to small businesses and to provide grants to States to improve the productivity of those businesses.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1993

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

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## A BILL

To amend the National Literacy Act of 1991 to establish in the Department of Labor an Office of Workplace Education to provide workplace education services to small businesses and to provide grants to States to improve the productivity of those 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 Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF OFFICE OF WORKPLACE EDU-**  
2 **CATION IN DEPARTMENT OF LABOR.**

3 (a) IN GENERAL.—Section 201 of the National Lit-  
4 eracy Act of 1991 (Public Law 102–73; 105 Stat. 342)  
5 is amended—

6 (1) by striking subsections (a) and (b);

7 (2) by redesignating subsection (c) as sub-  
8 section (d); and

9 (3) by inserting before subsection (d) the fol-  
10 lowing new subsections:

11 “(a) ESTABLISHMENT.—

12 “(1) IN GENERAL.—The Secretary of Labor  
13 shall establish in the Employment and Training Ad-  
14 ministration an Office of Workplace Education for  
15 the purpose of providing workplace education serv-  
16 ices to small businesses.

17 “(2) DIRECTOR.—The Office of Workplace  
18 Education shall have a Director (in this section re-  
19 ferred to as the ‘Director’), who shall be paid at a  
20 rate equal to level 5 of the Executive Schedule.

21 “(b) DUTIES.—The Director shall—

22 “(1) establish and carry out the workplace edu-  
23 cation grant program under subsection (c), includ-  
24 ing—

1           “(A) establishing standards for the estab-  
2           lishment, staffing, and activities of State offices  
3           of workplace education;

4           “(B) establishing standards for the em-  
5           ployment, qualifications, training, and activities  
6           of workforce specialists;

7           “(C) establishing standards for the admin-  
8           istration of State demonstration grant pro-  
9           grams;

10          “(D) providing States with technical as-  
11          sistance in providing workplace education serv-  
12          ices; and

13          “(E) monitoring and collecting information  
14          on—

15                 “(i) the performance of States under  
16                 the grant program; and

17                 “(ii) problems relating to workplace  
18                 education and the provision of workplace  
19                 services to solve such problems nationwide;

20          “(2) conduct national research and development  
21          projects to improve the understanding of workplace  
22          education, including—

23                 “(A) funding and evaluating demonstration  
24                 programs in workplace education;

1           “(B) assessing and evaluating workplace  
2 education programs; and

3           “(C) assessing and evaluating State and  
4 national policies affecting workplace education;

5           “(3) develop and disseminate information on  
6 workplace education on a nationwide basis; and

7           “(4) enlist small businesses, labor organiza-  
8 tions, and other appropriate entities in efforts to dis-  
9 seminate information and provide technical assist-  
10 ance on workplace education to the employees or  
11 members of such entities.

12           “(c) WORKPLACE EDUCATION GRANT PROGRAM.—

13           “(1) AUTHORIZATION.—

14           “(A) STATES.—The Director shall provide  
15 grants to States for the purpose of establishing  
16 workplace education programs to improve the  
17 productivity of small businesses in such States.

18           “(B) TERRITORIES.—

19           “(i) IN GENERAL.—Not more than 1  
20 percent of the amount authorized to be ap-  
21 propriated to carry out this section for  
22 each fiscal year shall be used by the Direc-  
23 tor to provide grants to the territories for  
24 the purpose of establishing workplace edu-

1 cation programs to improve the productiv-  
2 ity of small businesses in such territories.

3 “(ii) REQUIREMENTS.—To receive a  
4 grant under clause (i), a territory shall  
5 comply with requirements similar to the re-  
6 quirements for States in this subsection, as  
7 determined by the Director.

8 “(C) PERIOD OF GRANT.—A grant under  
9 subparagraph (A) or (B) may extend over a pe-  
10 riod of not more than 5 fiscal years. The provi-  
11 sion of payments under such grant shall be sub-  
12 ject to annual approval by the Director and  
13 subject to the availability of appropriations for  
14 the fiscal year involved to make the payments.

15 “(2) APPLICATION.—

16 “(A) IN GENERAL.—To receive a grant  
17 under paragraph (1)(A), a State shall submit to  
18 the Director an application which contains—

19 “(i) a plan containing the number of  
20 workforce education districts to be estab-  
21 lished by the State office in accordance  
22 with paragraph (3)(B)(i); and

23 “(ii) such information as the Director  
24 may reasonably require.

1           “(B) ASSURANCES.—Such application shall  
2 include assurances that the State shall—

3           “(i) use Federal funds received from a  
4 grant under paragraph (1)(A) to supple-  
5 ment, not supplant, non-Federal funds  
6 that would otherwise be available for  
7 projects funded under such paragraph;

8           “(ii) submit, for any fiscal year in  
9 which such State receives funds from a  
10 grant under such paragraph, a report to  
11 the Director describing the use of such  
12 grant, including—

13           “(I) the number of small busi-  
14 nesses receiving assistance pursuant  
15 to paragraph (3)(B); and

16           “(II) any other information the  
17 Director determines to be appropriate;  
18 and

19           “(iii) use not less than 17 percent of  
20 amounts received from a grant under para-  
21 graph (1)(A) to establish and carry out the  
22 demonstration grant program under para-  
23 graph (3)(D).

1           “(3) USE OF FUNDS.—Grants made under  
2 paragraph (1)(A) may be used by a State only in ac-  
3 cordance with the following requirements:

4           “(A) ESTABLISHMENT OF STATE OFFICE  
5 OF WORKPLACE EDUCATION.—The State shall,  
6 for the purpose of providing workplace edu-  
7 cation services in such State, establish a State  
8 office of workplace education in 1 of the follow-  
9 ing entities:

10           “(i) A State agency that has respon-  
11 sibility for education, training, or economic  
12 development policy.

13           “(ii) A State literacy resource center  
14 established pursuant to section 356 of the  
15 Adult Education Act (20 U.S.C. 1208aa).

16           “(iii) An institution of higher edu-  
17 cation.

18           “(B) DUTIES.—The State office estab-  
19 lished under subparagraph (A) shall meet the  
20 following requirements:

21           “(i) Subject to subparagraph (C), the  
22 State office shall establish workplace edu-  
23 cation districts throughout the State—

24           “(I) in which at least 1 institu-  
25 tion of higher education which has ex-

1           isting workplace education programs  
2           (or will establish such programs not  
3           later than the date on which the State  
4           in which such institution is located  
5           will receive a grant under paragraph  
6           (1)(A)) is located, to provide small  
7           businesses with access to workplace  
8           education programs; and

9           “(II) which are of a sufficient  
10          number in order to allow ease of ac-  
11          cess by small businesses located in the  
12          State to utilize the services provided  
13          at institutions of higher education lo-  
14          cated in each district.

15          “(ii) The State office shall hire  
16          workforce specialists and place 1 workforce  
17          specialist, including necessary support  
18          staff, in 1 of the institutions of higher edu-  
19          cation located in each district to—

20                 “(I) serve as a local point of con-  
21                 tact for small businesses interested in  
22                 workplace education programs at such  
23                 institution or other suitable education  
24                 providers;

1           “(II) analyze the needs of indi-  
2           vidual small businesses for the pur-  
3           pose of designing workplace education  
4           programs that meet the needs of such  
5           businesses;

6           “(III) refer small businesses to  
7           such institution or other suitable edu-  
8           cation providers for the purpose of  
9           providing workplace education pro-  
10          grams to the employees of such busi-  
11          nesses, provided that such businesses  
12          shall reimburse such institution or  
13          other suitable education provider in  
14          an amount equal to at least 75 per-  
15          cent of the cost of the programs at-  
16          tributable to such businesses, includ-  
17          ing instructional time, materials, and  
18          facilities;

19          “(IV) assist in negotiating finan-  
20          cial, logistical, and other arrange-  
21          ments between small businesses and  
22          the institution of higher education or  
23          suitable education provider;

24          “(V) provide technical assistance  
25          and training to the staff of the insti-

1           tution of higher education or suitable  
2           education provider for the purpose of  
3           providing workplace education pro-  
4           grams;

5           “(VI) enlist the help of small  
6           businesses and labor groups in the  
7           provision of such programs; and

8           “(VII) provide small businesses  
9           with information on workplace edu-  
10          cation services in general.

11          “(iii) The State office shall monitor  
12          and supervise the activities of workforce  
13          specialists.

14          “(iv) The State office shall encourage  
15          local educational agencies and other local  
16          agencies, small businesses, labor organiza-  
17          tions, community-based organizations, and  
18          other private organizations to cooperate  
19          with workforce specialists.

20          “(v) The State office shall produce  
21          and disseminate information to the entities  
22          described in clause (iv) and the general  
23          public on the need for and means of imple-  
24          menting workplace education programs.

1           “(vi) The State office shall conduct  
2           research and demonstration programs to  
3           promote the understanding and acceptance  
4           of workplace education and encourage the  
5           use of and improvement of state-of-the-art  
6           workplace education services.

7           “(vii) The State office shall, in con-  
8           junction with the Office of Workplace Edu-  
9           cation and workforce specialists, conduct  
10          Statewide or regional training programs  
11          for teachers and administrators at institu-  
12          tions of higher education, small businesses,  
13          labor organizations, community-based or-  
14          ganizations, and other individuals and enti-  
15          ties that are engaged, or wish to become  
16          engaged, in the provision of workplace edu-  
17          cation services.

18          “(C) WORKPLACE EDUCATION DISTRICT  
19          REQUIREMENTS.—In establishing workplace  
20          education districts, the State office shall—

21                 “(i) if the amount of the grant re-  
22                 ceived by the State under paragraph  
23                 (1)(A) is greater than an amount equal to  
24                 \$100,000 multiplied by the number of such  
25                 districts established by the State in its ap-

1           plication, place at least 1 workforce spe-  
2           cialist at an institution of higher education  
3           in each district; and

4           “(ii) if the amount of the grant re-  
5           ceived by the State under paragraph  
6           (1)(A) is less than an amount equal to  
7           \$100,000 multiplied by the number of such  
8           districts established by the State in its ap-  
9           plication, place at least 1 workforce spe-  
10          cialist at an institution of higher education  
11          in each district that the State office deter-  
12          mines to be appropriate.

13          “(D) DEMONSTRATION GRANT PRO-  
14          GRAM.—

15                 “(i) IN GENERAL.—The State office  
16                 shall make grants to eligible small busi-  
17                 nesses for the purpose of paying the cost  
18                 of instructional services and course mate-  
19                 rials of any workplace education program  
20                 conducted pursuant to subparagraph (B)  
21                 attributable to the employees of such busi-  
22                 nesses.

23                 “(ii) APPLICATION.—To receive a  
24                 grant under clause (i), an eligible small  
25                 business shall submit an application to the

1 State office at such time, in such form,  
2 and containing such information as the of-  
3 fice may reasonably require.

4 “(iii) USE OF FUNDS.—Grants made  
5 under clause (i) may be used by an eligible  
6 small business only to reimburse an insti-  
7 tution of higher education for the cost of  
8 instructional services and course materials  
9 of any workplace education program con-  
10 ducted pursuant to subparagraph (B) at-  
11 tributable to the employees of such busi-  
12 ness.

13 “(iv) ALLOCATION REQUIREMENT.—  
14 The State office may not make grants  
15 under clause (i) to any eligible small busi-  
16 ness in an amount equal to or more than  
17 \$25,000.

18 “(v) ELIGIBLE SMALL BUSINESS DE-  
19 FINED.—For purposes of this subpara-  
20 graph, the term ‘eligible small business’  
21 means a business with 75 or fewer employ-  
22 ees.

23 “(4) ADDITIONAL REQUIREMENTS.—

24 “(i) ADMINISTRATIVE COSTS.—Of the  
25 amount received from a grant under para-

1 graph (1)(A), the State shall not use more  
2 than 8 percent of such amount for admin-  
3 istrative costs, of which not less than 5  
4 percent, or \$300,000, whichever is greater,  
5 shall be used for administrative costs in-  
6 curred by the State office of workplace  
7 education established under paragraph  
8 (3)(A). If the State uses less than 8 per-  
9 cent of such amount, then the remainder  
10 of such amount shall be included in the  
11 amount used by the State to carry out the  
12 demonstration grant program established  
13 under paragraph (3)(D).

14 “(ii) MATCHING FUNDS.—The State  
15 shall provide non-Federal funds in any fis-  
16 cal year for the purpose of conducting the  
17 program under paragraph (1)(A), in an  
18 amount equal to—

19 “(I) with respect to the 1st and  
20 2nd fiscal years in which a State re-  
21 ceives funds from a grant under para-  
22 graph (1)(A), not less than 20 percent  
23 of Federal funds provided to the State  
24 in each of such fiscal years;

1           “(II) with respect to the 3rd and  
2           4th fiscal years in which a State re-  
3           ceives funds from a grant under para-  
4           graph (1)(A), not less than 30 percent  
5           of Federal funds provided to the State  
6           in each of such fiscal years; and

7           “(III) with respect to the 5th fis-  
8           cal year in which a State receives  
9           funds from a grant under paragraph  
10          (1)(A), not less than 40 percent of  
11          Federal funds provided to the State in  
12          such fiscal year.

13           “(5) ALLOCATION REQUIREMENT BASED ON  
14          POPULATION.—

15           “(A) IN GENERAL.—In providing grants  
16          under paragraph (1)(A), the Director shall  
17          award grants in a greater amount to States  
18          with larger populations, as determined by the  
19          Director.

20           “(B) LIMITATION.—The Director shall not  
21          provide grants under paragraph (1)(A) in a fis-  
22          cal year to any State in an amount totaling  
23          more than 10 percent of amounts appropriated  
24          to carry out this section for that fiscal year.

1           “(6) REPORT.—Not later than September 30,  
2           1994, and at the end of each fiscal year thereafter,  
3           the Secretary of Labor shall submit to the President  
4           and the Congress a report containing—

5                   “(A) a compilation of the information con-  
6                   tained in the reports received by the Director  
7                   under paragraph (2)(B)(ii); and

8                   “(B) an evaluation of the effectiveness of  
9                   the grant program.

10           “(7) DEFINITIONS.—For purposes of this sec-  
11           tion, the following definitions apply:

12                   “(A) INSTITUTION OF HIGHER EDU-  
13                   CATION.—The term ‘institution of higher edu-  
14                   cation’ has the meaning given such term in sec-  
15                   tion 1201(a) of the Higher Education Act of  
16                   1965 (20 U.S.C. 1141(a)).

17                   “(B) SMALL BUSINESS.—The term ‘small  
18                   business’ means a business with 500 or fewer  
19                   employees.

20                   “(C) STATE.—The term ‘State’ means  
21                   each of the several States and the District of  
22                   Columbia.

23                   “(D) TERRITORIES.—The term ‘territories’  
24                   means American Samoa, the Federated States  
25                   of Micronesia, Guam, the Republic of the Mar-

1 shall Islands, the Commonwealth of the North-  
2 ern Mariana Islands, the Commonwealth of  
3 Puerto Rico, Palau, and the Virgin Islands.

4 “(E) WORKPLACE EDUCATION.—The term  
5 ‘workplace education’ means employer-spon-  
6 sored formal instructional programs for workers  
7 which—

8 “(i) shall include programs to improve  
9 1 or more academic skills, including read-  
10 ing, writing, mathematics, or English as a  
11 2nd language; and

12 “(ii) may include programs to improve  
13 1 or more process skills, including prob-  
14 lem-solving and interpersonal skills (such  
15 as effective communication and analytic  
16 reasoning).”.

17 (b) CONFORMING AMENDMENTS.—The heading of  
18 section 201 of the National Literacy Act of 1991 is  
19 amended to read as follows:

20 **“SEC. 201. OFFICE OF WORKPLACE EDUCATION.”.**

21 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 3(a)(1) of the Job Training Partnership Act  
23 is amended by adding at the end the following new sen-  
24 tence:

1           “Of the sums appropriated and made available  
2           to carry out part A of title II for each such fiscal  
3           year, an amount equal to 7 percent of such amount  
4           shall be made available to carry out section 201 of  
5           the National Literacy Act of 1991 (Public Law 102-  
6           73; 105 Stat. 342).”.

7 **SEC. 4. REDUCTION IN PERCENTAGE OF NON-ECONOMI-**  
8                   **CALLY DISADVANTAGED INDIVIDUALS**  
9                   **UNDER PART A OF TITLE II OF THE JOB**  
10                   **TRAINING PARTNERSHIP ACT.**

11           Section 203(c) of the Job Training Partnership Act  
12           is amended in the 1st sentence by striking “10 percent”  
13           and inserting “4 percent”.

14 **SEC. 5. EFFECTIVE DATE.**

15           This Act and the amendments made by this Act shall  
16           take effect on the date of the enactment of this Act, or  
17           October 1, 1993, whichever occurs later.

○

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