

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 2199

To amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mrs. FISCHER (for herself and Ms. COLLINS)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Workplace Advance-
5 ment Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) In 1963, Congress passed on a bipartisan
9 basis the Equal Pay Act of 1963 to prohibit dis-
10 crimination on account of sex in the payment of

1 wages for equal work performed by employees for
2 employers engaged in commerce or in the production
3 of goods for commerce.

4 (2) Following the passage of such Act, in 1964,
5 Congress passed on a bipartisan basis the Civil
6 Rights Act of 1964.

7 (3) Since the passage of both the Equal Pay
8 Act of 1963 and the Civil Rights Act of 1964,
9 women have made significant strides, both in the
10 workforce and in their educational pursuits.

11 (4) Currently, according to a Prudential Re-
12 search Study, 60 percent of women are the primary
13 earners in their households and the Bureau of Labor
14 Statistics has found that 47 percent of women are
15 members of the workforce.

16 (5) According to the Department of Education,
17 women receive 57 percent of all college degrees, a 33
18 percent increase from 1970.

19 (6) Women hold the majority of positions in the
20 5 fastest growing fields, and women are more likely
21 than men to work in professional and related occu-
22 pations.

23 (7) Despite this significant progress, surveys
24 suggest there is a concern among American women
25 that gender-based pay discrimination still exists.

1 (8) Over the last 15 years, the Equal Employ-
2 ment Opportunity Commission has received on aver-
3 age 2,400 complaints annually alleging gender-based
4 pay discrimination. This represents two to three per-
5 cent of charges filed with the Commission during the
6 same time period. Even though the Commission de-
7 termines that no discrimination occurred in a major-
8 ity of these complaints, the extent to which these al-
9 legations continue underscores there is still progress
10 to be made.

11 (9) A number of factors contribute to dif-
12 ferences in total compensation, including variations
13 in occupation, education, hours worked, institutional
14 knowledge, and other business reasons and personal
15 choices that shape career paths and earning poten-
16 tial.

17 **SEC. 3. PROHIBITION ON WAGE DISCRIMINATION.**

18 Pursuant to Federal law in effect on the date of en-
19 actment of this Act:

20 (1) IN GENERAL.—No employer shall discrimi-
21 nate, within any establishment in which employees
22 are employed by the employer, between employees on
23 the basis of sex by paying wages to employees in
24 such establishment at a rate less than the rate at
25 which the employer pays wages to employees of the

1 opposite sex in such establishment for equal work on
2 jobs the performance of which requires equal skill,
3 effort, and responsibility, and which are performed
4 under similar working conditions, except where such
5 payment is made pursuant to—

6 (A) a seniority system;

7 (B) a merit system;

8 (C) a system which measures earnings by
9 quantity or quality of production; or

10 (D) a differential based on any other fac-
11 tor other than sex.

12 (2) LIMITATION.—An employer who is paying a
13 wage rate differential in violation of this section
14 shall not, in order to comply to comply with the pro-
15 visions of this section, reduce the wage rate of any
16 employee.

17 (3) NOTICE.—Every employer, employment
18 agency, and labor organization, as the case may be,
19 shall post and keep posted in conspicuous places
20 upon its premises where notices to employees, appli-
21 cants for employment, and members are customarily
22 posted, a notice to be prepared or approved by the
23 Equal Employment Opportunity Commission that
24 sets forth excerpts, from or, summaries of, the perti-
25 nent provisions of title Act and of title VII of the

1 Civil Rights Act of 1964, and information pertinent
2 to the filing of a complaint.

3 **SEC. 4. INDUSTRY OR SECTOR PARTNERSHIP GRANT.**

4 (a) AMENDMENT.—Subtitle D of title I of the Work-
5 force Investment Act of 1998 (29 U.S.C. 2911 et seq.)
6 is amended by inserting after section 171 the following:

7 **“SEC. 171A. INDUSTRY OR SECTOR PARTNERSHIP GRANT**
8 **PROGRAM.**

9 “(a) PURPOSE.—It is the purpose of this section to
10 promote industry or sector partnerships that lead collabo-
11 rative planning, resource alignment, and training efforts
12 across multiple firms for a range of workers employed or
13 potentially employed by a targeted industry cluster, in
14 order to encourage industry growth and competitiveness
15 and to improve worker training, retention, and advance-
16 ment in targeted industry clusters, including by devel-
17 oping—

18 “(1) immediate strategies for regions and com-
19 munities to fulfill pressing skilled workforce needs;

20 “(2) long-term plans to grow targeted industry
21 clusters with better training and a more productive
22 workforce;

23 “(3) core competencies and competitive advan-
24 tages for regions and communities undergoing struc-
25 tural economic redevelopment; and

1 “(4) skill standards, career ladders, job re-
2 definitions, employer practices, and shared training
3 and support capacities that facilitate the advance-
4 ment of workers at all skill levels.

5 “(b) DEFINITIONS.—In this section:

6 “(1) CAREER LADDER.—The term ‘career lad-
7 der’ means an identified series of positions, work ex-
8 periences, and educational benchmarks or credentials
9 that offer occupational and financial advancement
10 within a specified career field or related fields over
11 time.

12 “(2) ECONOMIC SELF-SUFFICIENCY.—The term
13 ‘economic self-sufficiency’ means, with respect to a
14 worker, earning a wage sufficient to support a fam-
15 ily adequately over time, based on factors such as—

16 “(A) family size;

17 “(B) the number and ages of children in
18 the family;

19 “(C) the cost of living in the worker’s com-
20 munity; and

21 “(D) other factors that may vary by re-
22 gion.

23 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’ means—

25 “(A) an industry or sector partnership; or

1 “(B) an eligible State agency.

2 “(4) ELIGIBLE STATE AGENCY.—The term ‘eli-
3 gible State agency’ means a State agency designated
4 by the Governor of the State in which the State
5 agency is located for the purposes of the grant pro-
6 gram under this section.

7 “(5) HIGH-PRIORITY OCCUPATION.—The term
8 ‘high-priority occupation’ means an occupation
9 that—

10 “(A) has a significant presence in an in-
11 dustry cluster;

12 “(B) is in demand by employers;

13 “(C) pays family-sustaining wages that en-
14 able workers to achieve economic self-suffi-
15 ciency, or can reasonably be expected to lead to
16 such wages;

17 “(D) has or is in the process of developing
18 a documented career ladder; and

19 “(E) has a significant impact on a region’s
20 economic development strategy.

21 “(6) INDUSTRY CLUSTER.—The term ‘industry
22 cluster’ means a concentration of interconnected
23 businesses, suppliers, research and development enti-
24 ties, service providers, and associated institutions in

1 a particular field that are linked by common work-
2 force needs.

3 “(7) INDUSTRY OR SECTOR PARTNERSHIP.—

4 The term ‘industry or sector partnership’ means a
5 workforce collaborative that is described as follows:

6 “(A) REQUIRED MEMBERS.—

7 “(i) IN GENERAL.—An industry or
8 sector partnership is a workforce collabo-
9 rative that organizes key stakeholders in a
10 targeted industry cluster into a working
11 group that focuses on the workforce needs
12 of the targeted industry cluster and in-
13 cludes, at the appropriate stage of develop-
14 ment of the partnership—

15 “(I) representatives of multiple
16 firms or employers in the targeted in-
17 dustry cluster, including small- and
18 medium-sized employers when prac-
19 ticable;

20 “(II) 1 or more representatives of
21 local boards;

22 “(III) 1 or more representatives
23 of postsecondary educational institu-
24 tions or other training providers; and

1 “(ix) other organizations, as deter-
2 mined necessary by the members com-
3 prising the industry or sector partnership.

4 “(8) INDUSTRY-RECOGNIZED.—The term ‘in-
5 dustry-recognized’, used with respect to a credential,
6 means a credential that—

7 “(A) is sought or accepted by businesses
8 within the industry or sector involved as a rec-
9 ognized, preferred, or required credential for re-
10 cruitment, screening, or hiring purposes; and

11 “(B) is endorsed by a nationally recognized
12 trade association or organization representing a
13 significant part of the industry or sector, where
14 appropriate.

15 “(9) NATIONALLY PORTABLE.—The term ‘na-
16 tionally portable’, used with respect to a credential,
17 means a credential that is sought or accepted by
18 businesses within the industry sector involved, across
19 multiple States, as a recognized, preferred, or re-
20 quired credential for recruitment, screening, or hir-
21 ing purposes.

22 “(10) TARGETED INDUSTRY CLUSTER.—The
23 term ‘targeted industry cluster’ means an industry
24 cluster that has—

1 “(A) economic impact in a local or regional
2 area, such as advanced manufacturing, clean
3 energy technology, and health care;

4 “(B) immediate workforce development
5 needs, such as advanced manufacturing, clean
6 energy, technology, and health care;

7 “(C) documented career opportunities; and

8 “(D) a demonstrated workforce in which
9 women and minorities have been underrep-
10 resented.

11 “(c) GRANTS AUTHORIZED.—

12 “(1) IN GENERAL.—Subject to the availability
13 of appropriations to carry out this section, the Sec-
14 retary shall award, on a competitive basis, grants
15 described in paragraph (3) to eligible entities to en-
16 able the eligible entities to plan and implement, re-
17 spectively, the eligible entities’ strategic objectives in
18 accordance with subsection (d)(2)(D).

19 “(2) MAXIMUM AMOUNT.—

20 “(A) IMPLEMENTATION GRANTS.—An im-
21 plementation grant awarded under paragraph
22 (3)(A) may not exceed a total of \$2,500,000 for
23 a 3-year period.

1 “(B) RENEWAL GRANTS.—A renewal grant
2 awarded under paragraph (3)(C) may not ex-
3 ceed a total of \$1,500,000 for a 3-year period.

4 “(3) IMPLEMENTATION AND RENEWAL
5 GRANTS.—

6 “(A) IN GENERAL.—The Secretary may
7 award an implementation grant under this sec-
8 tion to an eligible entity that has established, or
9 is in the process of establishing, an industry or
10 sector partnership.

11 “(B) DURATION.—An implementation
12 grant shall be for a duration of not more than
13 3 years, and may be renewed in accordance
14 with subparagraph (C).

15 “(C) RENEWAL.—The Secretary may
16 renew an implementation grant for not more
17 than 3 years. A renewal of such grant shall be
18 subject to the requirements of this section, ex-
19 cept that the Secretary shall—

20 “(i) prioritize renewals to eligible enti-
21 ties that can demonstrate the long-term
22 sustainability of an industry or sector part-
23 nership funded under this section; and

24 “(ii) require assurances that the eligi-
25 ble entity will leverage, in accordance with

1 subparagraph (D)(ii), each year of the
2 grant period, additional funding sources
3 for the non-Federal share of the grant
4 which shall—

5 “(I) be in an amount greater
6 than—

7 “(aa) the non-Federal share
8 requirement described in sub-
9 paragraph (D)(i)(III); and

10 “(bb) for the second and
11 third year of the grant period,
12 the non-Federal share amount
13 the eligible entity provided for
14 the preceding year of the grant;
15 and

16 “(II) include at least a 50 per-
17 cent cash match from the State or the
18 industry cluster, or some combination
19 thereof, of the eligible entity.

20 “(D) FEDERAL AND NON-FEDERAL
21 SHARE.—

22 “(i) FEDERAL SHARE.—Except as
23 provided in subparagraph (C)(ii) and
24 clause (iii), the Federal share of a grant
25 under this section shall be—

1 “(I) 90 percent of the costs of
2 the activities described in subsection
3 (f), in the first year of the grant;

4 “(II) 80 percent of such costs in
5 the second year of the grant; and

6 “(III) 70 percent of such costs in
7 the third year of the grant.

8 “(ii) NON-FEDERAL.—The non-Fed-
9 eral share of a grant under this section
10 may be in cash or in-kind, and may come
11 from State, local, philanthropic, private, or
12 other sources.

13 “(iii) EXCEPTION.—The Secretary
14 may require the Federal share of a grant
15 under this section to be 100 percent if an
16 eligible entity receiving such grant is lo-
17 cated in a State or local area that is re-
18 ceiving a national emergency grant under
19 section 173.

20 “(4) FISCAL AGENT.—Each eligible entity re-
21 ceiving a grant under this section that is an industry
22 or sector partnership shall designate an entity in the
23 partnership as the fiscal agent for purposes of this
24 grant.

1 “(2) APPLICATION.—An eligible entity desiring
2 to receive a grant under this section shall submit an
3 application to the Secretary at such time, in such
4 manner, and containing such information as the Sec-
5 retary may require. An application submitted under
6 this paragraph shall contain, at a minimum, the fol-
7 lowing:

8 “(A) A description of the eligible entity,
9 evidence of the eligible entity’s capacity to carry
10 out activities in support of the strategic objec-
11 tives identified in the application under sub-
12 paragraph (D), and a description of the ex-
13 pected participation and responsibilities of each
14 of the mandatory partners described in sub-
15 section (b)(8)(A).

16 “(B) A description of the targeted industry
17 cluster for which the eligible entity intends to
18 carry out activities through a grant under this
19 section, and a description of how such targeted
20 industry cluster was identified in accordance
21 with paragraph (1).

22 “(C) A description of the workers that will
23 be targeted or recruited by the partnership, in-
24 cluding an analysis of the existing labor market,
25 a description of potential barriers to employ-

1 ment for targeted workers, and a description of
2 strategies that will be employed to help workers
3 overcome such barriers.

4 “(D) A description of the strategic objec-
5 tives that the eligible entity intends to carry out
6 for the targeted industry cluster, which objec-
7 tives shall include—

8 “(i) recruiting key stakeholders in the
9 targeted industry cluster, such as multiple
10 businesses and employers, labor organiza-
11 tions, local boards, and education and
12 training providers, and regularly convening
13 the stakeholders in a collaborative struc-
14 ture that supports the sharing of informa-
15 tion, ideas, and challenges common to the
16 targeted industry cluster;

17 “(ii) identifying the training needs of
18 multiple businesses, especially skill gaps
19 critical to competitiveness and innovation
20 to the targeted industry cluster;

21 “(iii) facilitating economies of scale by
22 aggregating training and education needs
23 of multiple employers;

24 “(iv) helping postsecondary edu-
25 cational institutions, training institutions,

1 apprenticeship programs, and all other
2 training programs authorized under this
3 Act, align curricula, entrance require-
4 ments, and programs to industry demand
5 and nationally portable, industry-recog-
6 nized credentials (or, if not available for
7 the targeted industry, other credentials, as
8 determined appropriate by the Secretary),
9 particularly for higher skill, high-priority
10 occupations validated by the industry;

11 “(v) ensuring that the State agency
12 carrying out the State program under the
13 Wagner-Peyser Act (29 U.S.C. 49 et seq.),
14 including staff of the agency that provide
15 services under such Act, shall inform re-
16 cipients of unemployment insurance of the
17 job and training opportunities that may re-
18 sult from the implementation of this grant;

19 “(vi) informing and collaborating with
20 organizations such as youth councils, busi-
21 ness-education partnerships, apprenticeship
22 programs, secondary schools, and postsec-
23 ondary educational institutions, and with
24 parents and career counselors, for the pur-
25 pose of addressing the challenges of con-

1 necting disadvantaged adults as defined in
2 section 132(b)(1)(B)(v) and disadvantaged
3 youth as defined in section 127(b) to ca-
4 reers;

5 “(vii) helping companies identify, and
6 work together to address, common organi-
7 zational and human resource challenges,
8 such as—

9 “(I) recruiting new workers;

10 “(II) implementing effective
11 workplace practices;

12 “(III) retraining dislocated and
13 incumbent workers;

14 “(IV) implementing a high-per-
15 formance work organization;

16 “(V) recruiting and retaining
17 women in nontraditional occupations;

18 “(VI) adopting new technologies;

19 and

20 “(VII) fostering experiential and
21 contextualized on-the-job learning;

22 “(viii) developing and strengthening
23 career ladders within and across compa-
24 nies, in order to enable dislocated, incum-

1 bent and entry-level workers to improve
2 skills and advance to higher-wage jobs;

3 “(ix) improving job quality through
4 improving wages, benefits, and working
5 conditions;

6 “(x) helping partner companies in in-
7 dustry or sector partnerships to attract po-
8 tential employees from a diverse job seeker
9 base, including individuals with barriers to
10 employment (such as job seekers who are
11 low income, youth, older workers, and indi-
12 viduals who have completed a term of im-
13 prisonment), by identifying such barriers
14 through analysis of the existing labor mar-
15 ket and implementing strategies to help
16 such workers overcome such barriers; and

17 “(xi) strengthening connections
18 among businesses in the targeted industry
19 cluster, leading to cooperation beyond
20 workforce issues that will improve competi-
21 tiveness and job quality, such as joint pur-
22 chasing, market research, or centers for
23 technology and innovation.

24 “(E) A description of the nationally port-
25 able, industry-recognized credentials or, if not

1 available, other credentials, related to the tar-
2 geted industry cluster that the eligible entity
3 proposes to support, develop, or use as a per-
4 formance measure, in order to carry out the
5 strategic objectives described in subparagraph
6 (D).

7 “(F) A description of the manner in which
8 the eligible entity intends to make sustainable
9 progress toward the strategic objectives.

10 “(G) Performance measures for measuring
11 progress toward the strategic objectives. Such
12 performance measures—

13 “(i) may consider the benefits pro-
14 vided by the grant activities funded under
15 this section for workers employed in the
16 targeted industry cluster, disaggregated by
17 gender and race, such as—

18 “(I) the number of workers re-
19 ceiving nationally portable, industry-
20 recognized credentials (or, if not avail-
21 able for the targeted industry, other
22 credentials) described in the applica-
23 tion under subparagraph (E);

24 “(II) the number of workers with
25 increased wages, the percentage of

1 workers with increased wages, and the
2 average wage increase; and

3 “(III) for dislocated or non-
4 incumbent workers, the number of
5 workers placed in sector-related jobs;
6 and

7 “(ii) may consider the benefits pro-
8 vided by the grant activities funded under
9 this section for firms and industries in the
10 targeted industry cluster, such as—

11 “(I) the creation or updating of
12 an industry plan to meet current and
13 future workforce demand;

14 “(II) the creation or updating of
15 published industry-wide skill stand-
16 ards or career pathways;

17 “(III) the creation or updating of
18 nationally portable, industry-recog-
19 nized credentials, or where there is
20 not such a credential, the creation or
21 updating of a training curriculum that
22 can lead to the development of such a
23 credential;

24 “(IV) the number of firms, and
25 the percentage of the local industry,

1 participating in the industry or sector
2 partnership; and

3 “(V) the number of firms, and
4 the percentage of the local industry,
5 receiving workers or services through
6 the grant funded under this section.

7 “(H) A timeline for achieving progress to-
8 ward the strategic objectives.

9 “(I) In the case of an eligible entity desir-
10 ing an implementation grant under this section,
11 an assurance that the eligible entity will lever-
12 age other funding sources, in addition to the
13 amount required for the non-Federal share
14 under subsection (c)(3)(D), to provide training
15 or supportive services to workers under the
16 grant program. Such additional funding sources
17 may include—

18 “(i) funding under this title used for
19 such training and supportive services;

20 “(ii) funding under title II;

21 “(iii) economic development funding;

22 “(iv) employer contributions to train-
23 ing initiatives; or

1 “(v) providing employees with em-
2 ployee release time for such training or
3 supportive services.

4 “(e) AWARD BASIS.—

5 “(1) GEOGRAPHIC DISTRIBUTION.—The Sec-
6 retary shall award grants under this section in a
7 manner to ensure geographic diversity.

8 “(2) PRIORITIES.—In awarding grants under
9 this section, the Secretary shall give priority to eligi-
10 ble entities that—

11 “(A) work with employers within a tar-
12 geted industry cluster to retain and expand em-
13 ployment in high wage, high growth areas;

14 “(B) focus on helping workers move to-
15 ward economic self-sufficiency and ensuring the
16 workers have access to adequate supportive
17 services;

18 “(C) address the needs of firms with lim-
19 ited human resources or in-house training ca-
20 pacity, including small- and medium-sized
21 firms;

22 “(D) coordinate with entities carrying out
23 State and local workforce investment, economic
24 development, and education activities; and

1 “(E) work with employers within a tar-
2 geted industry cluster that has a workforce in
3 which women and minorities have been under-
4 represented.

5 “(f) ACTIVITIES.—

6 “(1) IN GENERAL.—An eligible entity receiving
7 a grant under this section shall carry out the activi-
8 ties necessary to meet the strategic objectives, in-
9 cluding planning activities if applicable, described in
10 the entity’s application in a manner that—

11 “(A) integrates services and funding
12 sources in a way that enhances the effectiveness
13 of the activities; and

14 “(B) uses grant funds awarded under this
15 section efficiently.

16 “(2) PLANNING ACTIVITIES.—Planning activi-
17 ties may only be carried out by an eligible entity re-
18 ceiving an implementation grant under this section
19 during the first year of the grant period with not
20 more than \$250,000 of the grant funds.

21 “(3) ADMINISTRATIVE COSTS.—An eligible enti-
22 ty may retain a portion of a grant awarded under
23 this section for a fiscal year to carry out the admin-
24 istration of this section in an amount not to exceed
25 5 percent of the grant amount.

1 “(g) EVALUATION AND PROGRESS REPORTS.—

2 “(1) ANNUAL ACTIVITY REPORT AND EVALUA-
3 TION.—Not later than 1 year after receiving a grant
4 under this section, and annually thereafter, an eligi-
5 ble entity shall—

6 “(A) report to the Secretary, and to the
7 Governor of the State that the eligible entity
8 serves, on the activities funded pursuant to a
9 grant under this section; and

10 “(B) evaluate the progress the eligible enti-
11 ty has made toward the strategic objectives
12 identified in the application under subsection
13 (d)(2)(D), and measure the progress using the
14 performance measures identified in the applica-
15 tion under subsection (d)(2)(G).

16 “(2) REPORT TO THE SECRETARY.—An eligible
17 entity receiving a grant under this section shall sub-
18 mit to the Secretary a report containing the results
19 of the evaluation described in subparagraph (B) at
20 such time and in such manner as the Secretary may
21 require.

22 “(h) ADMINISTRATION BY THE SECRETARY.—

23 “(1) ADMINISTRATIVE COSTS.—The Secretary
24 may retain not more than 10 percent of the funds

1 appropriated to carry out this section for each fiscal
2 year to administer this section.

3 “(2) TECHNICAL ASSISTANCE AND OVER-
4 SIGHT.—The Secretary shall provide technical assist-
5 ance and oversight to assist the eligible entities in
6 applying for and administering grants awarded
7 under this section. The Secretary shall also provide
8 technical assistance to eligible entities in the form of
9 conferences and through the collection and dissemi-
10 nation of information on best practices. The Sec-
11 retary may award a grant or contract to 1 or more
12 national or State organizations to provide technical
13 assistance to foster the planning, formation, and im-
14 plementation of industry cluster partnerships.

15 “(3) PERFORMANCE MEASURES.—The Sec-
16 retary shall issue a range of performance measures,
17 with quantifiable benchmarks, and methodologies
18 that eligible entities may use to evaluate the effec-
19 tiveness of each type of activity in making progress
20 toward the strategic objectives described in sub-
21 section (d)(2)(D). Such measures shall consider the
22 benefits of the industry or sector partnership and its
23 activities for workers, firms, industries, and commu-
24 nities.

1 “(4) DISSEMINATION OF INFORMATION.—The
2 Secretary shall—

3 “(A) coordinate the annual review of each
4 eligible entity receiving a grant under this sec-
5 tion and produce an overview report that, at a
6 minimum, includes—

7 “(i) the critical learning of each in-
8 dustry or sector partnership, such as—

9 “(I) the training that was most
10 effective;

11 “(II) the human resource chal-
12 lenges that were most common;

13 “(III) how technology is changing
14 the targeted industry cluster; and

15 “(IV) the changes that may im-
16 pact the targeted industry cluster over
17 the next 5 years; and

18 “(ii) a description of what eligible en-
19 tities serving similar targeted industry
20 clusters consider exemplary practices, such
21 as—

22 “(I) how to work effectively with
23 postsecondary educational institutions;

24 “(II) the use of internships;

1 tence for a criminal offense;

2 and

3 “(FF) have other bar-
4 riers to employment;

5 “(VI) employer practices that are
6 most effective;

7 “(VII) the types of training that
8 are most effective;

9 “(VIII) other areas where indus-
10 try or sector partnerships can assist
11 each other; and

12 “(IX) alignment of curricula to
13 nationally portable, industry-recog-
14 nized credentials in the sectors where
15 they are available or, if not available
16 for the sector, other credentials, as
17 described in the application under
18 subsection (d)(2)(E);

19 “(B) make resource materials, including all
20 reports published and all data collected under
21 this section, available on the Internet; and

22 “(C) conduct conferences and seminars
23 to—

1 “(i) disseminate information on best
2 practices developed by eligible entities re-
3 ceiving a grant under this section; and

4 “(ii) provide information to the com-
5 munities of eligible entities.

6 “(5) REPORT.—Not later than 18 months after
7 the date of enactment of the Workplace Advance-
8 ment Act, and on an annual basis thereafter, the
9 Secretary shall transmit a report to Congress on the
10 industry or sector partnership grant program estab-
11 lished by this section. The report shall include a de-
12 scription of—

13 “(A) the eligible entities receiving funding;

14 “(B) the activities carried out by the eligi-
15 ble entities;

16 “(C) how the eligible entities were selected
17 to receive funding under this section; and

18 “(D) an assessment of the results achieved
19 by the grant program including findings from
20 the annual reviews described in paragraph
21 (4)(A).

22 “(i) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion shall be construed to permit the reporting or sharing
24 of personally identifiable information collected or made
25 available under this section.”.

1 (b) CONFORMING AMENDMENT.—The table of con-
2 tents in section 1(b) of the Workforce Investment Act of
3 1998 (20 U.S.C. 9201 note) is amended by inserting after
4 the item relating to section 171 the following:

“171A. Industry or sector partnership grant program.”.

5 **SEC. 5. CONSOLIDATIONS OF RELEVANT JOB TRAINING**
6 **PROGRAMS AND ACTIVITIES.**

7 (a) REPORT.—The Secretary of Labor, in coordina-
8 tion with the Director of the Office of Management and
9 Budget, shall prepare a report on the consolidations of
10 Federal job training programs and activities determined
11 to be unnecessarily duplicative (referred to in this section
12 as “relevant job training programs and activities”). Such
13 report shall—

14 (1) describe all Federal job training programs
15 and activities;

16 (2) propose consolidations of the relevant job
17 training programs and activities;

18 (3) provide a justification for those Federal job
19 training programs and activities not included in such
20 consolidations;

21 (4) establish a plan to provide for such consoli-
22 dations, including recommendations for necessary
23 legislation; and

24 (5) contain legislative recommendations for con-
25 solidation.

1 (b) SUBMISSION.—Not later than 3 months after the
2 date of enactment of this Act, the Secretary of Labor shall
3 submit the report to the appropriate committees of Con-
4 gress.

5 **SEC. 6. ENHANCED ENFORCEMENT OF EQUAL PAY ACT RE-**
6 **QUIREMENTS.**

7 Section 15(a) of the Fair Labor Standards Act of
8 1938 (29 U.S.C. 215(a)) is amended—

9 (1) in paragraph (5), by striking the period and
10 inserting “; or”; and

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

12 “(6) to discharge or in any other manner retali-
13 ate against any employee because such employee has
14 inquired about, discussed, or disclosed comparative
15 compensation information for the purpose of deter-
16 mining whether the employer is compensating an
17 employee in a manner that provides equal pay for
18 equal work, except that this paragraph shall not
19 apply to instances in which an employee who has ac-
20 cess to the wage information of other employees as
21 a part of such employee’s job functions discloses the
22 wages of such other employees to an individual who
23 does not otherwise have access to such information,
24 unless such disclosure is in response to a charge or
25 complaint or in furtherance of an investigation, pro-

1 ceeding, hearing, or action under section 6(d), in-
2 cluding an investigation conducted by the employee.
3 Nothing in paragraph (6) shall be construed to limit the
4 rights of an employee provided under any other provision
5 of law.”.