

**AMENDMENT TO H.R. 7****OFFERED BY MR. NADLER OF NEW YORK**

In section 2011 of the bill, in the matter proposed to be inserted as section 5322 of title 49, United States Code, insert after subsection (e) the following (and redesignate any subsequent subsections accordingly):

1       “(f) NATIONAL JOINT WORKFORCE DEVELOPMENT  
2 COUNCIL.—

3           “(1) ESTABLISHMENT.—Not later than 180  
4 days after the date of enactment of the American  
5 Energy and Infrastructure Jobs Act of 2012, the  
6 Administrator of the Federal Transit Administration  
7 shall establish a National Joint Workforce Develop-  
8 ment Council (referred to in this section as the ‘Na-  
9 tional Council’).

10       “(2) COMPOSITION.—

11           “(A) VOTING MEMBERS.—Two representa-  
12 tives, one representing labor and one rep-  
13 resenting management, from each Regional  
14 Workforce Development Board described in  
15 subsection (h), shall be elected by majority vote  
16 of labor and management representatives re-

1           spectively, on each Regional Board, to serve on  
2           the National Council.

3                   “(B) EX OFFICIO MEMBERS.—The Admin-  
4           istrator shall appoint as non-voting ex officio  
5           members to the National Council—

6                           “(i) up to 10 members, such as rep-  
7                           representatives of transit trade associations,  
8                           non-profit organizations, research organi-  
9                           zations, community colleges and univer-  
10                          sities, private industry, and any other  
11                          group or individual the Administrator be-  
12                          lieves would contribute to the National  
13                          Council;

14                           “(ii) a representative of the Inter-  
15                           national Transportation Learning Center  
16                           which administers the transit career ladder  
17                           training program authorized pursuant to  
18                           section 3046 of the Safe, Accountable,  
19                           Flexible, Efficient Transportation Equity  
20                           Act: A Legacy for Users (49 U.S.C. 5338  
21                           note); and

22                           “(iii) an individual who has expertise  
23                           in youth development programs.

24                          “(3) DUTIES.—The National Council shall with  
25           a national focus—

1           “(A) conduct a prevue national study on  
2 transit workforce development issues;

3           “(B) identify skills gaps in transit agency  
4 maintenance departments and develop programs  
5 to train maintenance employees and fixed route  
6 and paratransit operators;

7           “(C) develop programs to address the re-  
8 cruitment and retention of managerial and non-  
9 managerial employees;

10          “(D) initiate relationships with nontrans-  
11 portation sector industries, associations, and  
12 groups in the public and private sector to de-  
13 velop best practices in training and skills devel-  
14 opment and determine appropriate ways to col-  
15 laborate on behalf of disconnected youth;

16          “(E) conduct research on transit workforce  
17 development issues and develop best practices  
18 for recruitment, training, and retention of em-  
19 ployees;

20          “(F) conduct research on the extent of  
21 labor market disconnection among disconnected  
22 youth and assess the provision of employment  
23 services for such youth;

24          “(G) make recommendations to the Sec-  
25 retary and to public transit agencies regarding

1           how to expand current employment training  
2           programs, outreach programs to increase mi-  
3           nority and female employment in public trans-  
4           portation activities, and apprenticeship pro-  
5           grams;

6                   “(H) develop programs and make rec-  
7                   ommendations to public transit agencies to ad-  
8                   dress issues related to workplace quality of life  
9                   issues, including absenteeism, scheduling, child  
10                  care, and other issues that may be necessary to  
11                  improve recruitment and retention of employ-  
12                  ees;

13                   “(I) maintain and update routinely an elec-  
14                   tronic library, consisting of such materials as  
15                   online courseware and training manuals, white  
16                   papers, research materials, and other related  
17                   items;

18                   “(J) provide periodic assessments to the  
19                   Secretary, on studies and programs carried out  
20                   on the national level;

21                   “(K) coordinate research and program de-  
22                   velopment of the Regional Boards pursuant to  
23                   subsection (h), to reduce duplication and assure  
24                   complimentary research goals; and

1           “(L) make recommendations to the Sec-  
2           retary for guidance on grant programs carried  
3           out in subsection (i) taking into account the  
4           recommendations of the Regional Boards.

5           “(g) REGIONAL WORKFORCE DEVELOPMENT COUN-  
6           CILS.—

7           “(1) ESTABLISHMENT.—Not later than 90 days  
8           after the date of enactment of the American Energy  
9           and Infrastructure Jobs Act of 2012, the Adminis-  
10          trator of the Federal Transit Administration shall  
11          establish a workforce development council in each of  
12          its 10 regions.

13          “(2) COMPOSITION.—

14                 “(A) SELECTION OF REGIONAL COUN-  
15                 CILS.—The management of each public transit  
16                 agency and the labor organization representing  
17                 the majority of employees at each such transit  
18                 agency in a region shall select one representa-  
19                 tive for the council established under paragraph  
20                 (1).

21                 “(B) ELECTION OF GOVERNING BOARD.—

22                 The selected individuals from each transit agen-  
23                 cy shall elect, by majority vote from among  
24                 members of such council, a governing board for  
25                 the region, including a co-chairperson from

1           among the representatives from labor and a co-  
2           chairperson from among the representatives  
3           from management.

4           “(h) REGIONAL GOVERNING BOARDS.—

5           “(1) COMPOSITION OF GOVERNING BOARDS.—

6           The governing board for each region shall be com-  
7           posed of not more than 10 members elected by the  
8           Council pursuant to subsection (g)(2).

9           “(2) DUTIES.—The governing board for each  
10          region shall on a regional basis—

11           “(A) identify skills gaps in transit agency  
12          maintenance departments and develop programs  
13          to train maintenance employees and fixed route  
14          and paratransit operators on a regional basis;

15           “(B) develop programs to address the re-  
16          cruitment and retention of managerial and non-  
17          managerial employees;

18           “(C) initiate relationships with nontrans-  
19          portation sector industries, associations, and  
20          groups in the public and private sector to de-  
21          velop best practices in training and skills devel-  
22          opment and determine appropriate ways to col-  
23          laborate on behalf of disconnected youth;

24           “(D) conduct research on transit workforce  
25          development issues and develop best practices

1 for recruitment, training, and retention of em-  
2 ployees;

3 “(E) conduct research on the extent of  
4 labor market disconnection among disconnected  
5 youth and assess the provision of employment  
6 services for such youth;

7 “(F) make recommendations to the Sec-  
8 retary and to public transit agencies regarding  
9 how to expand current employment training  
10 programs, outreach programs to increase mi-  
11 nority and female employment in public trans-  
12 portation activities, and apprenticeship pro-  
13 grams;

14 “(G) develop programs and make rec-  
15 ommendations to public transit agencies to ad-  
16 dress issues related to workplace quality of life  
17 issues, including absenteeism, scheduling, child  
18 care, and other issues that may be necessary to  
19 improve recruitment and retention of employ-  
20 ees;

21 “(H) provide periodic assessments to the  
22 Secretary and to the National Joint Workforce  
23 Development Council established under sub-  
24 section (f), on studies and programs carried out  
25 on the regional level; and

1           “(I) make recommendations to the Na-  
2           tional Joint Workforce Development Council for  
3           guidance on grant programs carried out under  
4           subsection (i).

5           “(3) EX OFFICIO MEMBERS.—

6           “(A) POSSIBLE APPOINTMENTS.—The Ad-  
7           ministrators—

8           “(i) shall appoint representatives in  
9           accordance with subparagraph (B); and

10           “(ii) may appoint non-voting ex officio  
11           members to each regional governing board  
12           from among representatives of nonprofit  
13           organizations, research organizations, and  
14           any other groups or individuals the Admin-  
15           istrator believes would contribute to the  
16           board.

17           “(B) APPOINTMENTS FOR INTERNATIONAL  
18           TRANSPORTATION LEARNING CENTER AND FED-  
19           ERAL TRANSIT ADMINISTRATORS.—The Admin-  
20           istrator shall appoint as a non-voting ex officio  
21           member to the regional governing board of the  
22           respective region—

23           “(i) one or more representatives of the  
24           International Transportation Learning  
25           Center which administers the transit ca-

1 reer ladder training program authorized by  
2 section 3046 of the Safe, Accountable,  
3 Flexible, Efficient Transportation Equity  
4 Act: A Legacy for Users (Public Law 109–  
5 59);

6 “(ii) the Federal Transit Administra-  
7 tors of each of the 10 regions; and

8 “(iii) an individual who has expertise  
9 in youth development programs.

10 “(i) GRANT PROGRAMS.—

11 “(1) IN GENERAL.—The Secretary, acting  
12 through the Administrator and taking into account  
13 the recommendations of the National Council under  
14 subsection (f) and the Regional Governing Boards  
15 under subsection (h), shall establish grant programs  
16 as follows:

17 “(A) TRANSIT YOUTH OPPORTUNITY.—

18 “(i) BASIC SKILLS EDUCATION AND  
19 PRE-APPRENTICESHIP SKILLS.—

20 “(I) APPLICATIONS.—The Ad-  
21 ministrator shall accept applications  
22 for grants from nonprofit organiza-  
23 tions and public or privately funded  
24 educational institutions providing aca-  
25 demic or technical instruction to en-

1 courage and introduce youth discon-  
2 nected to a variety of careers in the  
3 transit industry by providing such  
4 youth with basic skills education, if  
5 necessary, and pre-apprenticeship  
6 skills.

7 “(II) PRIORITY.—The Adminis-  
8 trator shall give priority for such  
9 grants to organizations with a proven  
10 record of success in providing discon-  
11 nected youth with basic education and  
12 pre-apprenticeship skills.

13 “(ii) APPRENTICESHIPS.—The Admin-  
14 istrator shall accept applications from  
15 partnerships of transit agencies and the  
16 unions representing non-managerial em-  
17 ployees for grants to develop local and re-  
18 gional labor-management apprenticeship  
19 programs aligned with national transit in-  
20 dustry apprenticeship programs for a vari-  
21 ety of transit-related jobs, by giving pri-  
22 ority to individuals who have successfully  
23 completed a pre-apprenticeship program  
24 pursuant to clause (i).

1                   “(B) TRANSIT WORKER EDUCATION AND  
2                   RETENTION GRANTS.—

3                   “(i) APPLICATIONS.—The Adminis-  
4                   trator shall accept applications from—

5                   “(I) in the case of non-manage-  
6                   rial employees, partnerships of transit  
7                   agencies and the unions representing  
8                   non-managerial employees; and

9                   “(II) in the case of managerial  
10                  employees, from providers of manage-  
11                  ment and technical programs for the  
12                  delivery of such programs and the re-  
13                  lated costs of attendee participation.

14                  “(ii) USE OF GRANT FUNDS.—Funds  
15                  for a grant under this subparagraph may  
16                  be used—

17                  “(I) to develop education pro-  
18                  grams in a variety of training settings  
19                  for transit employees from diverse  
20                  population groups to maintain and  
21                  improve job skills and advance em-  
22                  ployee development across a career  
23                  span; and

24                  “(II) assisting individuals to ob-  
25                  tain education and training required

1 to enter the transit profession and ad-  
2 vance within such profession, such as  
3 by providing career counseling and  
4 mentoring.

5 “(C) WORKFORCE DIVERSITY GRANTS.—

6 The Administrator shall accept applications  
7 from partnerships of transit agencies and the  
8 unions representing non-managerial employees  
9 for a grant to develop special projects to in-  
10 crease education opportunities within the tran-  
11 sit industry for individuals who are from dis-  
12 advantaged backgrounds, including racial and  
13 ethnic minorities under-represented among  
14 transit management, by providing student  
15 scholarships or stipends, pre-entry preparation,  
16 and retention activities.

17 “(2) GRANT REQUIREMENTS.—A grant under  
18 this section shall be subject to all requirements of a  
19 grant under section 5307.

20 “(j) FUNDING.—In addition to the amounts set forth  
21 subsection (m), there are authorized to be appropriated  
22 to carry out subparagraphs of subsection (i), \$50,000,000  
23 for each of fiscal years 2013 and 2016.

24 “(k) CERTIFICATION.—The Administrator shall de-  
25 velop a category on ‘Workforce Development’ on its annual

1 Certifications and Assurances for Federal Transit Admin-  
2 istration Assistance Programs in accordance with section  
3 5323(n), and include such category as one of the areas  
4 of certification beginning in fiscal year 2013. Such cat-  
5 egory shall require transit agencies to develop short-range  
6 and long-range planning with regard to workforce develop-  
7 ment matters, with a particular focus on the recruitment,  
8 retention, and training of managerial and non-managerial  
9 employees.

10 “(l) DEFINITION.—For purposes of this section, the  
11 term ‘disconnected youth’ means individuals ages 16  
12 through 24 who are out of school and not employed and  
13 composed primarily of youth of color from poor commu-  
14 nities and at risk of becoming permanently disengaged  
15 from the labor market which threatens their ability to  
16 break out of the cycle of poverty and contribute to our  
17 economy and communities.”.

