

(5) skill training in both the private and public sectors, both as a general remedy and as a supplement to unemployment insurance;

(6) youth employment programs as specified in section 3115 of this title;

(7) community development programs to provide employment in activities of value to the States, local communities (including rural areas), and the Nation;

(8) Federal procurement programs which are targeted on labor surplus areas; and

(9) augmentation of other employment and training programs which would help to reduce high levels of unemployment arising from cyclical causes.

(b) Triggering mechanism

In any countercyclical efforts undertaken, the President shall consider a triggering mechanism which will implement the program during a period of rising unemployment and phase out the program when unemployment is appropriately reduced, and incorporate effective means to facilitate individuals assisted under programs developed pursuant to this section to return promptly to regular private and public employment as the economy recovers.

(Pub. L. 95-523, title II, §202, Oct. 27, 1978, 92 Stat. 1900.)

§ 3113. Economic activity coordination

(a) Federal, regional, State, local, and private sector

As an integral part of any countercyclical employment policies undertaken in accord with section 3112 of this title, the President shall, to the extent the President deems necessary, set forth programs and policies, including recommended legislation where needed, to coordinate economic action among the Federal Government, regions, States and localities, and the private sector to promote achievement of the purposes of this chapter and the Employment Act of 1946 [15 U.S.C. 1021 et seq.] and an economic environment in which State and local governments and private sector economic activity and employment will prosper. In considering programs and policies related to the private sector, full consideration shall be given to promoting the growth and well-being of small businesses and employment training programs through private sector incentives.

(b) Fiscal needs and budget conditions

In any efforts under this section, the President shall endeavor to meet criteria that establish programs which are funded to take account of the fiscal needs and budget conditions of the respective States and localities and their own efforts, with special attention to the rates of unemployment in such States and localities.

(Pub. L. 95-523, title II, §203, Oct. 27, 1978, 92 Stat. 1900.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a), see References in Text note set out under section 3102 of this title.

The Employment Act of 1946, referred to in subsec. (a), is act Feb. 20, 1946, ch. 33, 60 Stat. 23, as amended, which is classified generally to chapter 21 (§1021 et seq.)

of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1021 of this title and Tables.

EXECUTIVE ORDER NO. 12329

Ex. Ord. No. 12329, Oct. 14, 1981, 46 F.R. 50919, which established the President’s Task Force on Private Sector Initiatives and provided for its membership, functions, etc., was revoked by Ex. Ord. No. 12399, §4(i), Dec. 31, 1982, 48 F.R. 380, formerly set out as a note under section 14 of the Federal Advisory Committee Act in the Appendix to Title 5, Government Organization and Employees.

§ 3114. Regional and structural employment policies and programs

(a) Recommendation of legislation

To the extent deemed appropriate by the President in fulfillment of the purposes of section 3111 of this title, the President shall recommend legislation to the Congress if necessary, regional and structural employment policies and programs.

(b) Private sector production and employment; effect of Federal policies

In formulating the regional components of any such programs, the President shall encourage to the extent the President deems necessary, new private sector production and employment to locate within depressed localities and regions with substantial unemployment and to aid in stabilizing their economic base. To the extent feasible, such policies and programs shall foster the establishment and growth of smaller businesses in such localities and regions. Any regional employment proposal of the President shall also include an analysis of the extent to which Federal tax, expenditure (including procurement of goods and services), defense, transportation, energy, natural resources and employment policies have influenced the movement of people, jobs, and small and larger business and industries from chronic high unemployment regions and areas, and proposals designed to correct Federal policies that have an adverse economic impact upon such regions and areas.

(Pub. L. 95-523, title II, §204, Oct. 27, 1978, 92 Stat. 1901.)

§ 3115. Youth employment policies and programs

(a) Congressional findings

The Congress finds and declares—

(1) That¹ serious unemployment and economic disadvantage of a unique nature exist among youths even under generally favorable economic conditions;

(2) that this group constitutes a substantial portion of the Nation’s unemployment, and that this significantly contributes to crime, alcoholism and drug abuse, and other social and economic problems; and

(3) that many youths have special employment needs and problems which, if not promptly addressed, will substantially contribute to more severe unemployment problems in the long run.

(b) Improvement and expansion

To the extent deemed necessary in fulfillment of the purposes of this chapter, the President

¹ So in original. Probably should not be capitalized.

shall improve and expand existing youth employment programs, recommending legislation where required. In formulating any such program, the President shall—

- (1) include provisions designed to fully coordinate youth employment activities with other employment and training programs;
- (2) develop a smoother transition from school to work;
- (3) prepare disadvantaged and other youths with employability handicaps for regular self-sustaining employment;
- (4) develop realistic methods for combining training with work; and
- (5) develop provisions designed to attract structurally unemployed youth into productive full-time employment through incentives to private and independent sector businesses;²

(Pub. L. 95-523, title II, §205, Oct. 27, 1978, 92 Stat. 1901.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (b), see References in Text note set out under section 3102 of this title.

§ 3116. Job training, counseling and reservoirs of employment projects

(a) Policies, procedures and recommendations

Further to promote achievement of full employment under this chapter and the Employment Act of 1946 [15 U.S.C. 1021 et seq.], the President, through the Secretary of Labor, shall develop policies and procedures and, as necessary, recommend programs for providing employment opportunities to individuals aged 16 and over in the civilian labor force who are able, willing, and seeking to work but who, despite serious efforts to obtain employment, remain unemployed.

(b) Utilization of authority under other laws

In meeting the responsibilities under subsection (a), the Secretary of Labor shall, as appropriate, fully utilize the authority provided under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.] and other relevant provisions of law to—

- (1) assure the availability of counseling, training, and other support activities necessary to prepare persons willing and seeking work for employment;
- (2) refer persons able, willing, and seeking to work to job opportunities in the private and public sectors through the existing public employment placement facilities and through the United States Employment Service of the Department of Labor, including job opportunities in any positions created under programs established pursuant to sections 3112, 3114, and 3115 of this title; and
- (3) encourage flexi-time and part-time jobs for persons who are able, willing, and seeking employment but who are unable to work a standard workweek.

(c) Establishment of project reservoirs; restrictions and requirements of new programs

- (1) To the extent that individuals aged sixteen and over and able, willing, and seeking to work

are not and in the judgment of the President cannot be provided with private job opportunities or job opportunities under other programs and actions in existence, in accord with the goals and timetables set forth in the Employment Act of 1946 [15 U.S.C. 1021 et seq.], the President shall, as may be authorized by law, establish reservoirs of public employment and private nonprofit employment projects, to be approved by the Secretary of Labor, through expansion of activities under title I of the Workforce Innovation and Opportunity Act [29 U.S.C. 3111 et seq.] and other existing employment and training projects or through such new programs as are determined necessary by the President or through both such projects and such programs.

- (2) New programs as may be authorized by law after October 27, 1978, referred to in paragraph (c)(1)—

(A) shall not be put into operation earlier than two years after October 27, 1978, nor without a finding by the President, transmitted to the Congress, that other means of employment are not yielding enough jobs to be consistent with attainment of the goals and timetables for the reduction of unemployment set forth in the Employment Act of 1946 [15 U.S.C. 1021 et seq.];

(B) shall be designed so that no workers from private employment are drawn into the reservoir projects thereunder;

(C) shall be useful and productive jobs;

(D) shall be mainly in the lower ranges of skills and pay, and toward this end the number of reservoir jobs under such new programs shall, to the extent practicable, be maximized in relationship to the appropriations provided for such jobs;

(E) shall be targeted on areas of high unemployment and on individuals who are structurally unemployed;

(F) shall be phased in by the President as necessary, in conjunction with the employment goals under sections 3(a)(2) and 4(b) of the Employment Act of 1946 [15 U.S.C. 1022(a)(2), 1022a(b)].

(d) Regulations

The Secretary, in carrying out the provisions of this section, shall establish regulations providing for—

(1) an initial determination of the job seeker's ability to be employed at certain types and duration of work, so that such individual may be appropriately referred to jobs, training, counseling, and other supportive services;

(2) compliance with the nondiscrimination provisions of this chapter in accordance with section 3151 of this title;

(3) appropriate eligibility criteria to determine the order of priority of access of any person to any new programs under subsection (c) as may be authorized by law including but not necessarily limited to (A) household income, duration of unemployment (not less than five weeks), and the number of people economically dependent upon such person; and (B) denial of access to any person refusing to accept or hold a job except for good cause, as determined by the Secretary of Labor, including refusal to accept or hold a job subject to ref-

² So in original. The semicolon probably should be a period.