

506 of Pub. L. 113-128, set out as a note under section 3101 of this title.

## § 3224. Evaluations and research

### (a) Evaluations

#### (1) Evaluations of programs and activities carried out under this subchapter

##### (A) In general

For the purpose of improving the management and effectiveness of programs and activities carried out under this subchapter, the Secretary, through grants, contracts, or cooperative agreements, shall provide for the continuing evaluation of the programs and activities under this subchapter, including those programs and activities carried out under this section.

##### (B) Periodic independent evaluation

The evaluations carried out under this paragraph shall include an independent evaluation, at least once every 4 years, of the programs and activities carried out under this subchapter.

#### (2) Evaluation subjects

Each evaluation carried out under paragraph (1) shall address—

(A) the general effectiveness of such programs and activities in relation to their cost, including the extent to which the programs and activities—

(i) improve the employment competencies of participants in comparison to comparably-situated individuals who did not participate in such programs and activities; and

(ii) to the extent feasible, increase the level of total employment over the level that would have existed in the absence of such programs and activities;

(B) the effectiveness of the performance accountability measures relating to such programs and activities;

(C) the effectiveness of the structure and mechanisms for delivery of services through such programs and activities, including the coordination and integration of services through such programs and activities;

(D) the impact of such programs and activities on the community, businesses, and participants involved;

(E) the impact of such programs and activities on related programs and activities;

(F) the extent to which such programs and activities meet the needs of various demographic groups; and

(G) such other factors as may be appropriate.

#### (3) Evaluations of other programs and activities

The Secretary may conduct evaluations of other federally funded employment-related programs and activities under other provisions of law.

#### (4) Techniques

Evaluations conducted under this subsection shall utilize appropriate and rigorous methodology and research designs, including the

use of control groups chosen by scientific random assignment methodologies. The Secretary shall conduct at least 1 multisite control group evaluation under this subsection by the end of fiscal year 2019, and thereafter shall ensure that such an analysis is included in the independent evaluation described in paragraph (1)(B) that is conducted at least once every 4 years.

#### (5) Reports

The entity carrying out an evaluation described in paragraph (1) or (2) shall prepare and submit to the Secretary a draft report and a final report containing the results of the evaluation.

#### (6) Reports to Congress

Not later than 30 days after the completion of a draft report under paragraph (5), the Secretary shall transmit the draft report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate. Not later than 60 days after the completion of a final report under such paragraph, the Secretary shall transmit the final report to such committees.

#### (7) Public availability

Not later than 30 days after the date the Secretary transmits the final report as described in paragraph (6), the Secretary shall make that final report available to the general public on the Internet, on the Web site of the Department of Labor.

#### (8) Publication of reports

If an entity that enters into a contract or other arrangement with the Secretary to conduct an evaluation of a program or activity under this subsection requests permission from the Secretary to publish a report resulting from the evaluation, such entity may publish the report unless the Secretary denies the request during the 90-day period beginning on the date the Secretary receives such request.

#### (9) Coordination

The Secretary shall ensure the coordination of evaluations carried out by States pursuant to section 3141(e) of this title with the evaluations carried out under this subsection.

### (b) Research, studies, and multistate projects

#### (1) In general

After consultation with States, localities, and other interested parties, the Secretary shall, every 2 years, publish in the Federal Register, a plan that describes the research, studies, and multistate project priorities of the Department of Labor concerning employment and training for the 5-year period following the submission of the plan. The plan shall be consistent with the purposes of this subchapter, including the purpose of aligning and coordinating core programs with other one-stop partner programs. Copies of the plan shall be transmitted to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, the Department of Education, and other relevant Federal agencies.

**(2) Factors**

The plan published under paragraph (1) shall contain strategies to address national employment and training problems and take into account factors such as—

- (A) the availability of existing research (as of the date of the publication);
- (B) the need to ensure results that have interstate validity;
- (C) the benefits of economies of scale and the efficiency of proposed projects; and
- (D) the likelihood that the results of the projects will be useful to policymakers and stakeholders in addressing employment and training problems.

**(3) Research projects**

The Secretary shall, through grants or contracts, carry out research projects that will contribute to the solution of employment and training problems in the United States and that are consistent with the priorities specified in the plan published under paragraph (1).

**(4) Studies and reports****(A) Net impact studies and reports**

The Secretary of Labor, in coordination with the Secretary of Education and other relevant Federal agencies, may conduct studies to determine the net impact and best practices of programs, services, and activities carried out under this Act.

**(B) Study on resources available to assist disconnected youth**

The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the characteristics of eligible youth that result in such youth being significantly disconnected from education and workforce participation, the ways in which such youth could have greater opportunities for education attainment and obtaining employment, and the resources available to assist such youth in obtaining the skills, credentials, and work experience necessary to become economically self-sufficient.

**(C) Study of effectiveness of workforce development system in meeting business needs**

Using funds available to carry out this subsection jointly with funds available to the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, the Secretary of Labor, in coordination with the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, may conduct a study of the effectiveness of the workforce development system in meeting the needs of business, such as through the use of industry or sector partnerships, with particular attention to the needs of small business, including in assisting workers to obtain the skills needed to utilize emerging technologies.

**(D) Study on participants entering nontraditional occupations**

The Secretary of Labor, in coordination with the Secretary of Education, may con-

duct a study examining the number and percentage of individuals who receive employment and training activities and who enter nontraditional occupations, successful strategies to place and support the retention of individuals in nontraditional employment (such as by providing post-placement assistance to participants in the form of exit interviews, mentoring, networking, and leadership development), and the degree to which recipients of employment and training activities are informed of the possibility of, or directed to begin, training or education needed for entrance into nontraditional occupations.

**(E) Study on performance indicators**

The Secretary of Labor, in coordination with the Secretary of Education, may conduct studies to determine the feasibility of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator.

**(F) Study on job training for recipients of public housing assistance**

The Secretary of Labor, in coordination with the Secretary of Housing and Urban Development, may conduct studies to assist public housing authorities to provide, to recipients of public housing assistance, job training programs that successfully upgrade job skills and employment in, and access to, jobs with opportunity for advancement and economic self-sufficiency for such recipients.

**(G) Study on improving employment prospects for older individuals**

The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, may conduct studies that lead to better design and implementation of, in conjunction with employers, local boards or State boards, community colleges or area career and technical education schools, and other organizations, effective evidence-based strategies to provide services to workers who are low-income, low-skilled older individuals that increase the workers' skills and employment prospects.

**(H) Study on prior learning**

The Secretary of Labor, in coordination with other heads of Federal agencies, as appropriate, may conduct studies that, through convening stakeholders from the fields of education, workforce, business, labor, defense, and veterans services, and experts in such fields, develop guidelines for assessing, accounting for, and utilizing the prior learning of individuals, including dislocated workers and veterans, in order to provide the individuals with postsecondary educational credit for such prior learning that leads to the attainment of a recognized postsecondary credential identified under section 3152(d) of this title and employment.

**(I) Study on career pathways for health care providers and providers of early education and child care**

The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, shall conduct a multistate study to develop, implement, and build upon career advancement models and practices for low-wage health care providers or providers of early education and child care, including faculty education and distance education programs.

**(J) Study on equivalent pay**

The Secretary shall conduct a multistate study to develop and disseminate strategies for ensuring that programs and activities carried out under this Act are placing individuals in jobs, education, and training that lead to equivalent pay for men and women, including strategies to increase the participation of women in high-wage, high-demand occupations in which women are under-represented.

**(K) Reports**

The Secretary shall prepare and disseminate to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and to the public, including through electronic means, reports containing the results of the studies conducted under this paragraph.

**(5) Multistate projects**

**(A) Authority**

The Secretary may, through grants or contracts, carry out multistate projects that require demonstrated expertise that is available at the national level to effectively disseminate best practices and models for implementing employment and training services, address the specialized employment and training needs of particular service populations, or address industry-wide skill shortages, to the extent such projects are consistent with the priorities specified in the plan published under paragraph (1).

**(B) Design of grants**

Agreements for grants or contracts awarded under this paragraph shall be designed to obtain information relating to the provision of services under different economic conditions or to various demographic groups in order to provide guidance at the national and State levels about how best to administer specific employment and training services.

**(6) Limitations**

**(A) Competitive awards**

A grant or contract awarded for carrying out a project under this subsection in an amount that exceeds \$100,000 shall be awarded only on a competitive basis, except that a noncompetitive award may be made in the case of a project that is funded jointly with other public or private sector entities that provide a substantial portion of assistance under the grant or contract for the project.

**(B) Time limits**

A grant or contract shall not be awarded under this subsection to the same organization for more than 3 consecutive years unless such grant or contract is competitively reevaluated within such period.

**(C) Peer review**

**(i) In general**

The Secretary shall utilize a peer review process—

(I) to review and evaluate all applications for grants in amounts that exceed \$500,000 that are submitted under this section; and

(II) to review and designate exemplary and promising programs under this section.

**(ii) Availability of funds**

The Secretary is authorized to use funds provided under this section to carry out peer review activities under this subparagraph.

**(D) Priority**

In awarding grants or contracts under this subsection, priority shall be provided to entities with recognized expertise in the methods, techniques, and knowledge of workforce investment activities. The Secretary shall establish appropriate time limits for the duration of such projects.

**(c) Dislocated worker projects**

Of the amount made available pursuant to section 3172(a)(2)(A) of this title for any program year, the Secretary shall use not more than 10 percent of such amount to carry out demonstration and pilot projects, multiservice projects, and multistate projects relating to the employment and training needs of dislocated workers. Of the requirements of this section, such projects shall be subject only to the provisions relating to review and evaluation of applications under subsection (b)(6)(C). Such projects may include demonstration and pilot projects relating to promoting self-employment, promoting job creation, averting dislocations, assisting dislocated farmers, assisting dislocated fishermen, and promoting public works. Such projects shall be administered by the Secretary, acting through the Assistant Secretary for Employment and Training.

(Pub. L. 113–128, title I, §169, July 22, 2014, 128 Stat. 1568.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(4)(A), (J), is Pub. L. 113–128, July 22, 2014, 128 Stat. 1425, known as the Workforce Innovation and Opportunity Act, which enacted this chapter, repealed chapter 30 (§2801 et seq.) of this title and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

EFFECTIVE DATE

Section effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113–128, set out as a note under section 3101 of this title.

**§ 3224a. Job training grants****(1) In general**

The Secretary of Labor shall use funds available under section 1356(s)(2) of title 8 to award grants to eligible entities to provide job training and related activities for workers to assist them in obtaining or upgrading employment in industries and economic sectors identified pursuant to paragraph (4) that are projected to experience significant growth and ensure that job training and related activities funded by such grants are coordinated with the public workforce investment system.

**(2) Use of funds****(A) Training provided**

Funds under this section may be used to provide job training services and related activities that are designed to assist workers (including unemployed and employed workers) in gaining the skills and competencies needed to obtain or upgrade career ladder employment positions in the industries and economic sectors identified pursuant to paragraph (4).

**(B) Enhanced training programs and information**

In order to facilitate the provision of job training services described in subparagraph (A), funds under this section may be used to assist in the development and implementation of model activities such as developing appropriate curricula to build core competencies and train workers, identifying and disseminating career and skill information, and increasing the integration of community and technical college activities with activities of businesses and the public workforce investment system to meet the training needs for the industries and economic sectors identified pursuant to paragraph (4).

**(3) Eligible entities**

Grants under this section may be awarded to partnerships of private and public sector entities, which may include—

- (A) businesses or business-related nonprofit organizations, such as trade associations;
- (B) education and training providers, including community colleges and other community-based organizations; and
- (C) entities involved in administering the workforce development system, as defined in section 3102 of this title, and economic development agencies.

**(4) High growth industries and economic sectors**

For purposes of this section, the Secretary of Labor, in consultation with State workforce investment boards, shall identify industries and economic sectors that are projected to experience significant growth, taking into account appropriate factors, such as the industries and sectors that—

- (A) are projected to add substantial numbers of new jobs to the economy;
- (B) are being transformed by technology and innovation requiring new skill sets for workers;
- (C) are new and emerging businesses that are projected to grow; or

(D) have a significant impact on the economy overall or on the growth of other industries and economic sectors.

**(5) Equitable distribution**

In awarding grants under this section, the Secretary of Labor shall ensure an equitable distribution of such grants across geographically diverse areas.

**(6) Leveraging of resources and authority to require match****(A) Leveraging of resources**

In awarding grants under this section, the Secretary of Labor shall take into account, in addition to other factors the Secretary determines are appropriate—

- (i) the extent to which resources other than the funds provided under this section will be made available by the eligible entities applying for grants to support the activities carried out under this section; and
- (ii) the ability of such entities to continue to carry out and expand such activities after the expiration of the grants.

**(B) Authority to require match**

The Secretary of Labor may require the provision of specified levels of a matching share of cash or noncash resources from resources other than the funds provided under this section for projects funded under this section.

**(7) Performance accountability**

The Secretary of Labor shall require grantees to report on the employment outcomes obtained by workers receiving training under this section using indicators of performance that are consistent with other indicators used for employment and training programs administered by the Secretary, such as entry into employment, retention in employment, and increases in earnings. The Secretary of Labor may also require grantees to participate in evaluations of projects carried out under this section.

(Pub. L. 105-277, div. C, title IV, §414(c), Oct. 21, 1998, 112 Stat. 2681-653; Pub. L. 106-313, title I, §111, Oct. 17, 2000, 114 Stat. 1257; Pub. L. 108-447, div. J, title IV, §428, Dec. 8, 2004, 118 Stat. 3358; Pub. L. 113-128, title V, §512(a), July 22, 2014, 128 Stat. 1705.)

## CODIFICATION

Section was formerly classified to section 2916a of this title and set out as a note under section 2916 of this title.

Section was enacted as part of the American Competitiveness and Workforce Improvement Act of 1998 and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of title I of the Workforce Innovation and Opportunity Act which comprises this subchapter.

## AMENDMENTS

2014—Par. (3)(C). Pub. L. 113-128 substituted “entities involved in administering the workforce development system, as defined in section 3102 of this title” for “entities involved in administering the workforce investment system established under title I of the Workforce Investment Act of 1998”.

2004—Pub. L. 108-447 amended section catchline and text generally, substituting provisions relating to job training grants for provisions relating to demonstration programs and projects to provide technical skills training for workers.