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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To establish in the Department of Labor an Older Workers' Bureau, to establish a data hub and a technical assistance center at the Department of Labor related to employment of older workers and the effect of older employment on retirement security, to establish grant programs related to the employment of older workers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BEYER introduced the following bill; which was referred to the Committee
on _____

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Older Workers’ Bureau
3 Act”.

4 **SEC. 2. FINDINGS; PURPOSE.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Of the 7,700,000 workers expected to be
7 added to the United States labor force, more than
8 half— 3,800,000—will be older than 55, according
9 to the Bureau of Labor Statistics.

10 (2) From 1995 to 2021, the share of older
11 workers in the labor force more than doubled, to
12 nearly 24 percent from 12 percent, and is expected
13 to continue to rise.

14 (3) About 40 percent of middle-class older
15 workers will be downwardly mobile into poverty or
16 near poverty in the next 10 years when they reach
17 their sixties, in part because of lack of employment
18 or low wages.

19 (4) Older workers who have less formal edu-
20 cation, earn lower wages, or who are Black or His-
21 panic tend to experience much worse health than
22 those who are more advantaged and need more ac-
23 commodation at work and safer working conditions.

24 (5) Physically and psychologically difficult
25 working conditions are widespread and damaging for
26 older workers.

1 (6) Older workers are more likely to be involun-
2 tary part time, gig, or temporary workers than
3 prime age workers.

4 (7) Nearly 30 percent of older women work in
5 low wage jobs and most are considered working
6 poor.

7 (8) Concern about age discrimination amongst
8 older workers has reached its highest level in nearly
9 decades.

10 (9) More than 1,000,000 older workers were
11 pushed out or voluntarily left the labor force during
12 the COVID-19 pandemic.

13 (10) While some older workers have returned to
14 the labor force since the beginning of the COVID-
15 19 pandemic, many have struggled to obtain work
16 and others fear returning to unsafe working condi-
17 tions.

18 (11) The labor force participation rate and em-
19 ployment population ratio of older workers both de-
20 clined due to the COVID-19 pandemic and neither
21 have fully recovered.

22 (12) Older workers need specific policy consid-
23 eration and assistance that could be met by estab-
24 lishing an Older Workers' Bureau within the De-
25 partment of Labor.

1 (b) PURPOSE.—It is the purpose of this Act to pro-
2 mote productive, inclusive, and welfare-enhancing employ-
3 ment opportunities and workplaces for older workers
4 through research, policy development, outreach, and grant
5 programs.

6 **SEC. 3. DEFINITIONS.**

7 For the purposes of this Act:

8 (1) BUREAU.—The term “Bureau” means the
9 Older Workers’ Bureau established under section
10 4(a).

11 (2) DIRECTOR.—The term “Director” means
12 the Director of the Older Workers’ Bureau.

13 (3) OLDER WORKER.—The term “older worker”
14 means an individual who—

15 (A) is not younger than 55 years of age;

16 and

17 (B)(i) is employed;

18 (ii) is seeking employment; or

19 (iii) wants employment, is available for em-
20 ployment, and has sought employment within
21 the preceding 12 months.

22 (4) SECRETARY.—The term “Secretary” means
23 the Secretary of Labor.

1 **SEC. 4. OLDER WORKER'S BUREAU.**

2 (a) ESTABLISHMENT.—There is established in the
3 Department of Labor a bureau to be known as the “Older
4 Workers’ Bureau”, which shall be under the direction of
5 the Director of the Older Workers’ Bureau.

6 (b) PERSONNEL.—

7 (1) DIRECTOR.—

8 (A) APPOINTMENT.—Not later than 1 year
9 after the date of enactment of this Act, the
10 President shall appoint a Director to lead the
11 Bureau.

12 (B) INCLUSION IN EXECUTIVE SCHED-
13 ULE.—Section 5315 of title 5, United States
14 Code, is amended by adding at the end the fol-
15 lowing:

16 “Director of the Older Workers’ Bureau, De-
17 partment of Labor.”.

18 (2) STAFF.—The Secretary, acting through the
19 Director, shall employ such staff as the Secretary
20 determines necessary to carry out the functions of
21 the Bureau, at such rates of pay as the Secretary
22 may provide, subject to the provisions of chapter 51
23 and subchapter III of chapter 53 of such title, relat-
24 ing to classification and General Schedule pay rates.

25 (c) FUNCTIONS.—The Director shall promote the
26 welfare and improve the working conditions of older work-

1 ers, increase the efficiency, capacity, and coordination of
2 programs serving older workers, and advance the employ-
3 ment opportunities of older workers, including by carrying
4 out, with respect to older workers, the following:

5 (1) Research relating to—

6 (A) public benefits that support—

7 (i) the economic and financial security
8 of such workers; and

9 (ii) access and retention of safety net
10 supports for such workers who earn an an-
11 nual income that is not more than 200
12 percent of the Federal poverty guidelines;

13 (B) access for such workers to—

14 (i) leave under the Family and Med-
15 ical Leave Act of 1993 (29 U.S.C. 2601 et
16 seq.); and

17 (ii) workplace flexibility opportunities
18 to support the needs of such workers with
19 respect to managing personal health and
20 caregiving responsibilities;

21 (C) tailored, person-centered approaches to
22 job training and adult education (including on
23 soft skills, financial literacy education, and dig-
24 ital literacy) for such workers;

1 (D) access to savings and tax-advantaged
2 opportunities for such workers to provide a
3 path toward a financially secure retirement;

4 (E) age discrimination in the workplace,
5 including how such discrimination is, and could
6 be, addressed and how such discrimination im-
7 pacts such workers;

8 (F) wages paid to such workers, including
9 whether such wages are commensurate with ex-
10 perience;

11 (G) job security for such workers, includ-
12 ing—

13 (i) the probability of job loss; and

14 (ii) resources available to such work-
15 ers in the event of job separation;

16 (H) retirement readiness for such workers,
17 including the impact of Federal policies on re-
18 tirement readiness for such workers; and

19 (I) the impact of Federal policies on the
20 equitable treatment (including with respect to
21 race, sex, sexual orientation, gender identity,
22 education, ability, and residence) of such work-
23 ers and their retirement.

24 (2) Policy development.

25 (3) Outreach and education.

1 (4) Grant program administration.

2 (5) Coordinating Federal research relating to
3 such workers.

4 (6) Improving access to data on the economic
5 situation of such workers.

6 (d) OFFICE QUARTERS.—The Secretary shall furnish
7 sufficient quarters, office furniture, and equipment as the
8 Secretary determines necessary to carry out the functions
9 of the Bureau.

10 (e) REPORT.—The Director—

11 (1) shall annually submit to the Secretary a re-
12 port—

13 (A) on the activities of the Bureau with re-
14 spect to older workers, including with respect to
15 the functions described in subsection (c);

16 (B) that catalogs Federal programs that
17 support the employment, economic success, and
18 well-being of such workers;

19 (C) that identifies issues with respect to
20 such workers that may be improved with Fed-
21 eral support; and

22 (D) that makes recommendations to pro-
23 mote the welfare and economic and financial se-
24 curity, improve the working conditions, increase
25 the efficiency, capacity, and coordination of pro-

1 grams serving older workers, and advance the
2 employment opportunities of such workers; and
3 (2) may publish such report, as directed by the
4 Secretary.

5 (f) CONSULTATION.—In carrying out the functions of
6 the Bureau, the Secretary, acting through the Director,
7 may consult with—

8 (1) Federal agencies that have jurisdiction over
9 matters involving older adults, including—

10 (A) the Social Security Administration, in-
11 cluding the Office of Retirement and Disability
12 Policy;

13 (B) the Department of Health and Human
14 Services, including the Administration for Com-
15 munity Living, the Centers for Medicare and
16 Medicaid Services, the National Institute for
17 Occupational Safety and Health, and the Na-
18 tional Institute on Aging;

19 (C) the Equal Employment Opportunity
20 Commission;

21 (D) the Department of Veterans Affairs;

22 (E) the Department of the Treasury, in-
23 cluding the Internal Revenue Service; and

24 (F) the Department of Housing and Urban
25 Development; and

1 (2) any other Federal agency that the Secretary
2 determines has relevant expertise.

3 (g) APPLICABILITY.—The Secretary shall take such
4 actions as are necessary to ensure the Bureau is oper-
5 ational not later than 1 year after the date of enactment
6 of this Act.

7 **SEC. 5. RESEARCH GRANTS.**

8 Not later than 180 days after the date on which the
9 Bureau is operational, the Secretary, acting through the
10 Director, shall carry out a program to award, on a com-
11 petitive basis, grants to facilitate, with respect to older
12 workers, research—

13 (1) designed to identify areas that could benefit
14 from additional research for the purposes of—

15 (A) identifying and eliminating barriers to
16 securing employment, job retention, and reem-
17 ployment for such workers; and

18 (B) identifying policies that the Federal
19 government may implement to assist such work-
20 ers; and

21 (2) as determined appropriate by the Secretary,
22 into the areas identified under paragraph (1).

23 **SEC. 6. GRANTS TO COMBAT STRUCTURAL AGEISM.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date on which the Bureau is operational, the Secretary,

1 acting through the Director, shall carry out a program to
2 award, on a competitive basis, grants to covered institu-
3 tions to—

4 (1) facilitate activities, services, and programs
5 to improve the welfare of older workers;

6 (2) combat structural ageism;

7 (3) improve employment opportunities for older
8 workers; and

9 (4) create a more diverse and inclusive work-
10 place.

11 (b) PRIORITY.—In making grants under subsection
12 (a), the Secretary shall give priority to a covered institu-
13 tion that is located in an area that has no training pro-
14 grams specifically targeted to disadvantaged older work-
15 ers.

16 (c) COVERED INSTITUTIONS DEFINED.—For the
17 purposes of this section, the term “covered institution”
18 means any of the following:

19 (1) An employer.

20 (2) An employer association.

21 (3) A labor organization.

22 (4) A nonprofit with expertise in older workers.

23 (5) A worker organization.

24 (6) Another institution determined appropriate
25 by the Secretary.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 To carry out sections 5 and 6, there is authorized
3 to be appropriated \$10,000,000 for each fiscal year after
4 fiscal year 2023.