

Employees at the H-1B skill level are generally characterized as having a Bachelor's degree or comparable work experience. The H-1B technical skill training is not limited to skill levels commensurate with a four-year degree. It may be used to prepare workers for a broad range of positions along a specified career ladder. "Career ladder" may generally be defined as a system of career options which encourage opportunities for professional growth and upward mobility. Technical skills training can include a broad range of positions along a career ladder that directly leads to a high skills level job within a reasonable period of time. Thus, potential trainees are not required to enter training with a four-year degree. Additionally, trainees do not necessarily have to acquire a four-year degree to be successful, although many will have a four-year degree and many others will possess two-year degrees. Career ladders create opportunities for individuals who may vary in experience and education levels (such as specialty training and Associates' degrees) to advance along a defined career ladder and qualify through additional training and education for H-1B level related occupations.

Use of Skill Standards: Skill standards represent a benchmark by which an individual's achieved competence can be measured. Work in this area has been performed by private industry and trade associations, registered apprenticeship training systems, and public and private partnerships. Well-defined skill standards can be useful tools in matching training goals to targeted occupational areas. Applicants are encouraged to survey the progress to date in developing occupational skill standards in their community and in applicable industries.

As noted earlier (In Part IA—Background), the definition of the minimum proficiency level required to be considered an H-1B occupation, contained in section 214 (i), 8 U.S.C. 1184 (i) of the Immigration and Naturalization Act (INA), speaks to a very high skill level for these "specialty occupations." These are occupations that require "theoretical and practical application of a body of highly specialized knowledge," and full state licensure, if required for the occupation, to practice in the occupation. The standard for these occupations is either completion of at least a Bachelor's degree or experience in the specialty equivalent to the completion of such a degree and recognition of expertise in the specialty through progressively responsible positions relating to the

specialty. Specialized and professionally recognized certificates may also be characteristic of a high level of technical skills.

Comprehensive Local and Regional Planning: H-1B technical skills training applicants must describe the local area or region that will be served with particular emphasis on high technology skills shortages. Applicants are encouraged to ascertain current labor force and industry data to reflect the skills shortages in their region. The proposal also must identify the political jurisdictions to be included and provide an enumeration of the specific local workforce investment areas that are served under WIA. Current data on approved H-1B visa petitions should be utilized to the extent feasible to describe skill shortages in specific occupations. Appendix B to this solicitation is a listing of occupations for which H-1B visa petitions have been recently approved. Requests for H-1B visas for the applicant's region may reflect a skills shortage for those occupations, as well. Applicants may consider surveying local and regional employers to ascertain the extent of employer use of H-1B visas to obtain foreign workers and to obtain information on the specific occupations and skills imported.

Applicants are encouraged to utilize all available state and local data, including that provided by area businesses and business associations, in making determinations of regional shortages. Applicants are encouraged to analyze data made available by their state labor market information (LMI) director, the Bureau of Labor Statistics (BLS), and through the local One-Stop delivery system.

C. DOL Policies and Emphases

Section 111(c)(4)(A) of ACWIA 2000 states that consideration will be given to applicants who, where applicable, commit to provide three target outcomes for participants who complete training. These outcomes are the hiring of unemployed trainees, increased wages or salaries of employed workers, and skill certificates documenting skills acquisition or a link to industry accepted occupational skill standards, certificates, or licensing requirements.

The Employment and Training Administration anticipates that applicants may need to make a range of supportive services available to enhance the quality and effectiveness of the skill training provided under the grant. Grant funds may not be used to provide supportive services. Appropriately focused services, as defined by section 101(46) of WIA—such as transportation

or childcare—are considered as important enhancements to the technical skills training package.

Utilizing federal resources through co-enrollment in H-1B technical skills training and WIA is a strongly recommended course of action. While WIA resources cannot be counted toward the matching requirement; co-enrollment allows for much broader and comprehensive service provision. Successful applicants are encouraged to leverage such Federal resources to help make the technical skills training more effective.

In order to provide these resources, applicants should build linkages to the One-Stop Career Center network to reach out, inform, and recruit individuals to participate in H-1B technical skills training. The central role of the Local Boards in the planning and policy activity surrounding these grants is critical. WIA requires the Local Board to prepare a strategic workforce investment plan for the area that it oversees. The Local Board also designates One-Stop center operators and certifies or approves eligible training providers.

As required by ACWIA, ETA will give consideration in awarding grants to any proposal which includes and directly benefits two or more small businesses (100 employees or less).

DOL emphases for this SGA relate to level of training and occupations selected for training. In accordance with the legislative provisions to train American workers to an H-1B visa level, DOL seeks to achieve a higher level of skill training than has occurred to date in some H-1B grants—to a level that clearly prepares individuals to meet the H-1B visa definition of "theoretical and practical application of a body of specialized knowledge* * *" In addition, since a major objective of H-1B technical skills training grants is to alleviate dependency upon foreign workers in specialty occupations, DOL believes that increased priority is needed in occupations relating to the higher levels of computer science and information technology; architecture, engineering and surveying; biotechnology, biomedical research and manufacturing, and advanced manufacturing technology. Lower level healthcare and other non-H-1B occupations and preparatory or introductory level information technology areas will receive low selection priority under this SGA. DOL anticipates that the focus on a high level of training and on H-1B occupations will result in most participants being enrolled in training programs during the first year of the grant operation, with