

THE TRAINER AND THE LEGISLATIVE HOPPER

*the flood of legislation
and its growing impact
on employee training*

As we look at the variety of studies concerning what a training director does and what he needs to know, it is doubtful if the list will include "knowledge of legislation." Yet, in the past seven years the flood of legislation affecting training has certainly raised this need to a level of prominence. From time to time, the *Journal* has included articles concerning various legislative acts and information related to the legislative picture. The flood is so great that we are reaching the stage where legislation borders upon becoming a new specialty in the field of training. Until more effective sources of information are developed, it is hoped that ASTD can continue to provide us with some resources.

THE NEED TO KNOW

There are still some trainers who are not fully aware that legislation influences their professional life. It is not necessary to engage in a discussion of state's rights, should the Federal Government be passing legislation about training, or any of the other moral and ethical principles involved. This does not suggest that such a discussion is not healthy and necessary in our democratic society. However, in this article we shall deal with the world as it currently is. The legislation which currently exists is a resource to the training director. It makes available to him various types of funding which can supplement his program as well as opening up to him various new labor markets. The trainer may consider himself as only an educator of adults and therefore not concerned with the elementary or secondary schools. But his trainee is the product of the school system and it would be well for the trainer to recognize the prior educational experiences of his trainees. Rather than belabor the point, the reader might find it more helpful to look at some of the existing legislation and, more importantly, some which is now in the Congressional hopper.

ON THE BOOKS

The history of legislation affecting training is erratic.¹ It is generally agreed that

the first piece of Federal legislation affecting training was the Morrill Land Grant Act of 1862. This Act established the agricultural and mechanical colleges which in many cases have matured into our state universities of today. Between 1862 and 1916 there is very little in the way of legislation directly affecting training. The Smith-Hughes Act of 1917 promoted vocational education and can be considered one of the early acts which influenced training.

The next big jump is to the depression days when there were serious pieces of legislation concerning WPA, NYA, CCC and the other agencies organized in the war on the depression. Once again there is little from the mid 30's until 1958 when Congress passed an act entitled "The Government Employees' Training Act." Although only affecting Government employees, it appears to have been a forerunner of Congressional interest in training.

From 1962 to 1968 the flood of legislation increased.² We now have several sources which list some of this legislation, but it is almost impossible for any single source to keep current and accurate.³ In addition to legislation, there is also the influence of the government agencies involved, the normal changes that take place, and the periodic reorganizations. This has been compounded by a change in national administration.

It would be wasteful of the readers' time to relist the programs already contained in other articles and documents. Rather, let us highlight some of the more significant program areas and the sources of information:

Manpower

These have now been generally placed under the new Manpower Administration in the Department of Labor. Contact them in Washington or your Regional Manpower Administrator.

Technical Up-Dating

Not all programs are for the disadvantaged. Keeping technical and non-supervisory personnel abreast of cur-

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rent changes in their specialty is done at the state level through the Office of State Technical Services, U.S. Department of Commerce.

Veterans

If your work force includes veterans, there is much job training that can be paid for through the various "G.I. Bills." Contact your nearest Veterans Administration Office.

JOBS

Though essentially directed by the private sector through the National Alliance of Businessmen, government funds are available in the 50 cities covered by NAB. Contact their main office in Washington, one of the city offices, or your Regional Manpower Administrator.

Cooperative Vocational Education

One of the current trends to mix schooling with actual work experience. Latest impetus is through the Vocational Education Amendments of 1968. Contact your state Education Department or the Office of Education, Washington, D.C.

The listing is far from complete but is intended to highlight some of the items not currently appearing in too many places. All those listed above are actually laws passed in previous sessions of Congress.

IN THE HOPPER

The maze of existing legislation is complex, but the problem of ascertaining the pending legislation — what has been

placed in the hopper for the current session of Congress — is equally complicated. This article will not attempt to identify the process of enacting a law, but if the reader feels a need in this area, there are some relatively uncomplicated sources available.⁴

The volume of pending legislation is overwhelming. In the first five months of this session of Congress, almost 20,000 bills have been submitted in the two Houses. Obviously, most of these bills will die in committee without ever having had a hearing while others will finally emerge through committee hearings and congressional debate. I am neither clairvoyant nor privileged to secret information regarding the fate of pending legislation. The material included in this article is available to any person, but it does require a great deal of reading through nontraining-oriented material.

The mass of information defies presentation in a single article. A selective approach must be based on the reading of the bills as well as some value judgments as to what might have an impact on training. The headings used below are strictly for convenience to readers of this article and do not represent any previously agreed upon categories by Congress or anybody else. Without any grouping, the data becomes even more difficult and awesome.

Congress does group bills by sending them to specific committees. There are Standing Committees, Select Committees, Sub-Committees, and other desig-

nations.⁵ The assignment of a bill may be based not on its content, but rather on the area of jurisdiction.

The essential parts of a bill are as follows: (1) Number designation. "H.R." stands for House of Representatives, while "S." means the bill was introduced into the Senate. Bills are numbered numerically for each chamber and only designate the chronological order in which the bill was put in the hopper. (2) Purpose of the bill will be stated in an opening paragraph. Sometimes this purpose is very clear, but there is always the possibility that the bill is much more complicated than the stated purpose. Relying on the statement of purpose alone is usually not sufficient. (3) Title. At times, the bill will also say that "this bill can be cited as" and then gives a title. On bills which receive a great deal of publicity, it is common to refer to it by the title designated in the bill.

The following then is a partial listing of bills presented to the current session of Congress which have implications for training. The comments are strictly mine and do not represent any position by Congress or ASTD.

It is difficult to make absolute groupings, but this has been attempted in order to be of help. Under "Manpower" will be found several bills proposing a variety of tax credit plans. Though there are some similarities, there are also many differences, and interested persons are urged to explore each of these in depth. They are not as simple as they appear on the surface.⁶

Manpower

Bill No. and Purpose

Comments

H.R. 112 - To provide tax credits to businesses for training the hard-core unemployed.

H.R. 1120 - To guarantee productive employment opportunities for those who are unemployed or underemployed. ("The Guaranteed Employment Act of 1969").

H.R. 2065 - To provide training and employment opportunities for those individuals whose lack of skills and education acts as a barrier to their employment at above the federal minimum wage, by means of subsidies to employers on a decreasing scale in order to compensate such employers for the risk of hiring the poor and unskilled in their local communities. ("Federal Government and Private Employers' Partnership Act of 1969").

Tax credit plan for encouraging employment of hard-core.

Applicable to federal, state, or local governmental agencies, as well as private nonprofit organizations.

Provides for 20-40% refund of wages paid to employees certified by the Secretary of Labor for a basic period of one year.

H.R. 10118 - To provide incentives for creation by private industry of additional employment opportunities for residents of urban poverty areas. ("Urban Employment Opportunities Development Act of 1969").

H.R. 2787 - To guarantee productive employment opportunities for those who are unemployed or underemployed. ("The Guaranteed Employment Act of 1969"). Same as H.R. 2090, 3237, 10112.

H.R. 10110 - To provide increased opportunities for students in higher education for off-campus employment by establishing programs of work-study cooperative education. (Amendment to Title IV of the Higher Education Act of 1965).

H.R. 10111 - To provide employment and training opportunities for low-income and unemployed persons. ("Emergency Employment and Training Act of 1969").

H.R. 10721 - To amend the Internal Revenue Code of 1954 to limit the use of industrial development bonds to rural areas, to allow a credit against income tax to employers for the expenses of providing job training programs in rural areas, and otherwise to encourage fuller and more effective use of the human resources of such areas. ("Rural Job Development Act of 1969").

H.R. 10722 - A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job-training programs. ("Human Investment Act of 1969").

H.R. 11845 - A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for the employment consistent with his highest potential and capability and for other purposes. ("The Manpower Act"). Same as H.R. 11620-11624.

H.R. 10908 - A bill to develop and strengthen a systematic national, state and local manpower policy and provide for a comprehensive delivery of manpower services. ("Comprehensive Manpower Act of 1969"). Same as H.R. 11108.

S. 2192 - A bill to provide an incentive for private employers to employ and train unskilled individuals. ("Employment Incentive Act of 1969").

Schools (elementary through university)

S. 1033 - To improve and increase post-secondary educational opportunities throughout the nation by providing assistance to the states for the development and construction of comprehensive community colleges. ("Comprehensive Community College Act of 1969").

S. 1189 - To improve educational quality through the effective utilization of educational technology. ("Educational Technology Act of 1969"). Same as H.R. 4843.

S. 1563 - To promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States. ("National Institutional Grants Program").

S. 1663 - To strengthen and improve programs for adult education. ("Adult Education Amendments of 1969").

S. 1897 - To remove financial barriers so that all individuals will have equal opportunity for a post-secondary education of good quality, to strengthen institutions of higher education and for other purposes. ("Higher Education Bill of Rights"). Same as H.R. 6535.

H.R. 6646 - To extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education. ("The Higher Education Scholarship Act of 1969").

Tax credits as well as provisions for relocation expenses.

Would require the federal government to provide gainful employment for those who want work but cannot find it.

Would alternate academic study with full-time employment, with all compensation paid by employer. Funds would go to the education institutions to help them develop and administer the program.

A direct grant program to private employers to train and hire low-income and unemployed persons.

Would allow a percentage of training expenses for specified rural employees to be deducted as a credit against the corporate income tax.

Rather than merely an expense, would allow a credit against the income tax of the employer.

Would consolidate all manpower related programs in the Department of Labor.

Would concentrate all manpower programs in the Department of Labor, and would rest on the development of state plans for manpower development, involving the private sector.

Would provide incentive through a tax credit for training expense of certain employees.

Greatly expand two-year post-secondary institutions which provide programs in vocational, technical, occupational and specialized education. Basically, provides funds for construction of facilities.

Title II specifically refers to higher education and would provide money for research as well as expanded use.

Funds for research and instructional programs.

Extends provisions of current law from eighth to twelfth grades as minimum education for an adult.

Would provide funds to institutions and students. Also, encourages improvement of undergraduate curriculum and resources.

Would provide scholarships of up to \$1,000 per year.

International

S. 764 - To establish an international health, education and labor program to provide open support for private nongovernmental activities in the fields of health, education and labor and other welfare fields.

H.R. 9543 - To add a new Title XII to the National Defense Act of 1958.

S. 508 - To provide for the establishment of the National Foundation for the Social Sciences in order to promote research, education, training and scholarship in such sciences. ("National Foundation for the Social Sciences Act of 1969"). Same as H.R. 6531.

H.R. 9544 - To set forth a Congressional statement on a national educational policy and to direct the Secretary of Health, Education and Welfare to initiate a comprehensive study on the formulation of a plan to implement such policy.

H.R. 9870 - To encourage the involvement of youth in federally-financed programs and projects. ("Youth Involvement Act").

Individuals would be able to obtain grants to enable them to participate in international activities, conferences, meetings and seminars.

Would establish programs of international affairs, with private companies eligible to participate. Similar bills have been presented for the past few years but never get out of committee.

Similar to the existing National Science Foundation, but the new one would be active in the areas of: political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, communication, international relations, education and other social sciences.

Would evaluate present systems of training and education, explore alternatives and/or modifications and methods of financing.

Lists 28 government programs (some affecting the private sectors) and requires that all necessary steps be taken to see that these programs are developed, conducted and administered with the maximum feasible participation of youth.

WHAT YOU MIGHT DO

If you have been reading through all the material presented in the listing, you are probably exhausted. It is overwhelming and almost incomprehensible. Yet, almost any one of these bills could bring about massive changes in the functioning of training programs.

The listing changes almost daily and to keep up with it is difficult. Even with such a listing, there is still the problem of reading the bills in their entirety and trying to gain an understanding of them. To this end, there are five activities which are readily available, though each takes some effort.

1. Your Congressman

He is a source for information. But he also needs to hear from you. It is axiomatic that the Congressman, on entering his office each morning, first asks how the mail is running. This is important to him. Your interest and insight to any bill will always find a receptive audience.

2. The Congressional Record

All proceedings and debates of Congress are printed daily and published in the

form of the *Congressional Record*. The subscription is \$1.50 per month and should readily be available in local libraries. Where a company has a library, this publication has a place. Some of it is boring reading and much of it can be scanned. Each reader has his own interests but there is rarely an issue in which I do not find something of interest to me either as a trainer or a citizen.

3. Chapter Study Groups

Each ASTD Chapter could easily develop groups of interested members who would read the *Congressional Record*, contact your congressman, and enable all chapter members to constantly study legislation.

4. The Journal

In the past, the *Journal* has published articles concerning legislation and government policy. The increases in these articles reflects the growing concern of the membership as well as the volume of legislation. Reading of the *Journal* and conveying your needs and thoughts to the editor would be helpful. As members testify on legislation, correspond with their congressmen, and

engage in like activities, these could be reported in the *Journal*.

5. The National Conference

In 1965, ASTD showed an interest in the burgeoning field of legislation. At the 1965 Conference, I conducted a session on the Economic Opportunity Act of 1964. Since that time, various presentations have been made at succeeding conferences. In 1969, at Miami, I conducted two sessions on legislation and both were well attended and (according to post-conference evaluation) well received.

A fuller understanding of the issues involved requires more than just reading the legislation. The government has many alternatives available to it to expand training in industry. The reader is urged to read other documents and reports and not be trapped by only what goes into the Congressional hopper.⁷

It is misleading to imply that ASTD members, and trainers generally, are not interested. But the problem is a new and complex one and we must improve our ways of responding. To date, we have had a tendency to leave the legislative

area to reliable individuals, but they have not necessarily been competent in the area of training. As trainers and citizens, we have a responsibility to be involved in our government. The pressure now is for more jobs and upgrading of the work force. This is our field of activity and we have much to contribute.

REFERENCES

1. See Cloyd S. Steinmetz, "The Evolution of Training," in *Training and Development Handbook*, edited by Robert Craig and Lester Bittel. McGraw-Hill, 1967, p. 7. Also, *Federal Educational Policies, Programs and Proposals*, U.S. Government Printing Office, 1968. (An excellent reference document prepared by Charles A. Quattlebaum for the Committee on Education and Labor, Carl D. Perkins, Chairman.)
2. See Leonard Nadler, "Has Federal Legislation Affected Your Training?," *Training in Business and Industry*, Aug. 1967, pp. 16-19. Also Leonard Nadler, "Federal Assistance to Training Programs," *Training in Business and Industry*, June 1968, pp. 33-45.
3. Existing laws on many areas of education can be found in *A Compilation of Federal Education Laws*, U.S. Government Printing Office, 1969. (Prepared for the use of the Committee on Education and Labor, Carl D. Perkins, Chairman). The Office of Economic Opportunity has now released its latest *Catalog of Federal Domestic Assistance*, (Jan. 1969) which is a 610-page document. A more limited listing is *Federal Support for Adult Education*, a 176-page document prepared by the Adult Education Assn. of the U.S. and published by The Macmillan Co. in 1969.
4. *How Our Laws Are Made* by Charles J. Zinn and published by the U.S. Government Printing Office. Also Charles H. Brown, a former Congressman, has written "How to Get a Bill Through Congress" in the Mar. 1969 issue of *Today's Education* (NEA).
5. A listing of these can be found in *Congressional Directory*, 91st Cong., First Session. U.S. Government Printing Office, 1969. (Senate, pp. 252-259; House, pp. 265-274).
6. A discussion of a previous tax credit bill can be found in Leonard Nadler, "Human Investment Act of 1967," *Training and Development Journal*. July 1967, pp. 2-8.
7. One of the most significant reports is *A Government Commitment to Occupational Training in Industry*. It is a two-volume report (114 and 108 pp. respectively) on the work of the Task Force on Occupational Training in Industry and is available from Sol Swerdloff, Executive Secretary, Bureau of Labor Statistics, U.S. Department of Labor.

THE NEW ORGANIZATION ENVIRONMENT

"I think the time has come when we have to be as creative in social organizations in all areas of our life, as we have been inventive in our whole technological revolution." — Dr. Leland Bradford, in a speech at the ASTD National Conference, May 15, 1969.

Everyone knows the world is changing. And it is almost a cliché today that the modern organization is modern precisely *because* it is changing. But how many people know exactly what facets of their organizations are changing, and how they are different? Too many people associate the word "change", in the context of business, with technological change alone — with new machines, new processes, new systems.

More important — because it is more shattering — for today's organization, is the change that is coming about in individuals. Man's need to adapt to new processes and machines has brought about a change in his job, his attitude and his involvement with his organization.

"People in organizations are going to want a greater opportunity to influence their organizations." — Dr. Gordon L. Lippitt, in a speech at the ASTD National Conference, May 15, 1969.

The revolution which produced the machines which do industrial dirty work has not just created new jobs for people: it has created a new *kind* of job. And a job will inevitably shape the individual who holds it.

Many of these newly-created jobs consist of "think" work. The direction in which this sort of job will shape the job-holder is clear. A man who is thinking for his company will have different attitudes towards the company, its management and the way it is run, than the man who is running a machine for it. He will have different expectations of the company's treatment of him, and he will have ideas which he wishes to be heard.

"Large, complex organizations are going to require new structures and processes to be able to function effectively . . . people in your organization are going to have to learn how to feel comfortable in temporary situations . . . they will be forced constantly to come together to work on a problem, get the problem

solved and then return to their home room." — Dr. Lippitt, on the same occasion.

These are some of the kinds of changes that are taking place, often without the proper recognition by management, the key to constructive change within the organization.

But there is another kind of change: the change in organizational structure, processes and attitudes that are deliberately brought about by management in an attempt to change *with* the technological and sociological revolutions over which they have no ultimate control. New flexibility, new importance to the training function, new recognition of the contributions of the behavioral scientist — these are all indications that management is standing up and taking note.

One way in which ASTD is assisting in the process of implementing change and helping people adjust to it is through an educational institute, Management Development in the New Organization Environment, being offered October 12-16 in Jamaica, New York. Details are available from the ASTD Program Department, P.O. Box 5307, Madison, Wisconsin.