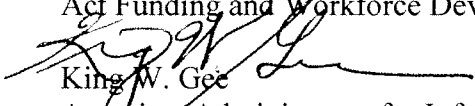




Memorandum

Subject: **INFORMATION:** American Recovery and Reinvestment
Act Funding and Workforce Development

Date: April 9, 2009

From: 
King W. Gee
Associate Administrator for Infrastructure

In Reply Refer To:
HIAM-20

To: Directors of Field Services
Director of Technical Services
Division Administrators

The challenges facing transportation departments are significant. Funding shortfalls in the face of considerable infrastructure needs force agencies to make difficult decisions in allocating limited resources. It is important to remember that one of the most critical resources is staffing. Whatever funds are available and whatever activities are undertaken, a trained and knowledgeable workforce is essential to ensure the desired outcome of highway design, construction, maintenance, and operations.

Workforce development has always been a key program within transportation departments, and one strongly supported by the FHWA. Federal regulations require that projects constructed with Federal-aid funds are staffed with qualified materials technicians and construction inspectors (23 CFR 637). The SAFETEA-LU currently provides States with the flexibility to use whatever funds are necessary to conduct a robust training program and give their workers the skills needed to ensure a quality product.

The passage of the American Recovery and Reinvestment Act of 2009 (Recovery Act) and the Omnibus Appropriations Act of 2009 has provided a much-needed infusion of capital into transportation departments' budgets. Many roadway construction and rehabilitation projects, delayed for lack of funds, will be able to proceed. However, the influx of funding and sudden increase in program size will increase our risk by exacerbating the shortage of trained maintenance and construction oversight staff already experienced by many agencies, consultants, and contractors. Many people will be put to work by the projects advanced. These individuals will need to quickly assume positions influencing construction quality and long-term infrastructure performance. It is our mission to support transportation departments in their efforts to train and develop this workforce. If you have immediate technical training needs in your State DOT's, one option is the National Highway Institute (NHI) with over 250 technical courses including over 25 online training courses and six Web conference sessions.

The Recovery Act funding has been allocated to transportation departments with the same provisions already provided under SAFETEA-LU. Specifically, Section 5204(e) of SAFETEA-LU (copy attached) allows funds from five core programs to be used for workforce development activities including employee education and training, and for

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programs to develop the future transportation workforce through career outreach and preparation. The five core programs are the Surface Transportation Program, National Highway System, Interstate Maintenance, Bridge Program, and Congestion Mitigation/Air Quality. Program funds used for training, education and workforce development activities receive 100 percent Federal funding (i.e., no State matching funds are required). To date, 31 States have employed this approach to support their training and development efforts. As departments move rapidly to apply the Recovery Act, its funds can be easily and quickly applied, with great impact, to training efforts through the provisions of SAFETEA-LU, Section 5204(e). Questions and answers are attached for your reference.

In addition, as the Recovery Act eases the strain on research and implementation budgets, transportation departments will have renewed ability to participate in beneficial pooled-fund efforts. The Transportation Curriculum Coordination Council (TCCC) has existed since 2000 to help State and local transportation departments share resources and address common construction and maintenance workforce challenges. A pooled-fund (solicitation 1205, <http://www.pooledfund.org/projectdetails.asp?id=1205&status=1>) (copy attached) is currently used by TCCC to fund technical training development for transportation departments nationwide and to avoid costly duplication of effort. The TCCC Core Curriculum, free Web-based training (on the Web site of NHI at www.nhi.fhwa.dot.gov), and numerous instructor-led courses were all made possible through State pooled-fund contribution. The continued success of TCCC and its ability to serve customer needs depends upon renewed contribution from transportation departments.

President Obama's objective for the Recovery Act is to reverse job losses and to strengthen America's infrastructure, achieving not just short-term expenditures but long-term gains. The FHWA division offices should encourage transportation departments to use the Federal funding available to support training and development and provide for the ongoing strength of the Nation's infrastructure. If you have any questions or if we can provide you additional information regarding the TCCC and workforce development, please contact Chris Newman in the Office of Asset Management at (202) 366-2023 or Christopher.newman@dot.gov or Rick Barnaby at the NHI at (703) 235-0520 or Richard.barnaby@dot.gov.

Please advise your State DOT's of these training options and the appropriate use of the funding available.

3 Attachments

**Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users
(SAFETEA-LU)**

**Section 5204(e) Surface Transportation Workforce Development, Training, and
Education-**

“(e) SURFACE TRANSPORTATION WORKFORCE DEVELOPMENT,
TRAINING, AND EDUCATION.—

“(1) FUNDING.—Subject to project approval by the Secretary, a State may obligate funds apportioned to the State under sections 104(b)(1), 104(b)(2), 104(b)(3), 104(b)(4), and 144(e) for surface transportation workforce development, training, and education, including—

“(A) tuition and direct educational expenses, excluding salaries, in connection with the education and training of employees of State and local transportation agencies;

“(B) employee professional development;

“(C) student internships;

“(D) university or community college support; and

“(E) education activities, including outreach, to develop interest and promote participation in surface transportation careers.

“(2) FEDERAL SHARE.—The Federal share of the cost of activities carried out in accordance with this subsection shall be 100 percent.

“(3) SURFACE TRANSPORTATION WORKFORCE DEVELOPMENT,
TRAINING, AND EDUCATION DEFINED.—In this subsection, the term ‘surface transportation workforce development, training, and education’ means activities associated with surface transportation career awareness, student transportation career preparation, and training and professional development for surface transportation workers, including activities for women and minorities.

For more information contact:

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**Guidance for
Use of Federal Aid State Core Program Funds for
Training, Education and Workforce Development
SAFETEA-LU Section 5204(e)
Questions and Answers**

These questions and answers are intended to provide information and guidance for the application of the Section 5204(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) as an assist to the FHWA Divisions and State departments of transportation in their efforts to enhance transportation workforce development.

Section 5204(e) of SAFETEA-LU allows funds from five core programs to be used for workforce development activities including employee education and training, and for programs to develop the future transportation workforce through career outreach and preparation. The five core programs are the Surface Transportation Program (STP), National Highway System (NHS), Interstate Maintenance, Bridge Program, and Congestion Mitigation/Air Quality (CMAQ). Program funds used for training, education and workforce development activities receive 100 percent federal funding.

Why was Section 5204(e) included in SAFETEA-LU?

The Transportation Research Board estimates that approximately 50 percent of the State transportation agency workforce will be eligible to retire within the next 10 years. According to the Department of Labor, the labor growth rate has declined from a high of 2.6 percent in the 1980's to a projected rate of 1.2 percent from 2000 to 2015, and an expected growth rate of only 0.2 percent from 2015 to 2025. As the labor shortage becomes more pronounced, so to will the competition for workers from all industries. Those industries that invest in developing their next generation of workers will be in a better position to compete for the smaller labor pool. Section 5204(e) will also provide a greater opportunity to develop the current transportation workforce. As transportation demand continues to grow faster than available resources, the ability to apply innovative technologies, processes and management principles through a skilled, technically competent workforce will provide the greatest return on investment for the transportation industry. The core fund workforce development provisions enhance the States' ability to prepare individuals for transportation careers, and to develop current employees including those with management, technical and vocational job responsibilities.

How do these provisions change what was allowed in TEA-21?

TEA-21 allowed the States to use up to ½ of 1 percent of Surface Transportation Program funds for employee training and included a 20 percent State matching requirement. The SAFETEA-LU provisions supersede TEA-21 and the more limited STP provisions by providing for 100 percent funding for workforce activities, extending eligibility for workforce development activities to the five core programs, and by not limiting the amount of funding available from each program. The SAFETEA-LU language also expands the types of eligible activities beyond training and education for employees to "pipeline" programs that will help students prepare for transportation careers.

What is the significance of the 100% federal funding provision?

The SAFETEA-LU provides for 100 percent federal funding if the core program funds are used for training, education, or workforce development purposes including “pipeline” activities. If used for these purposes, it is not necessary for the State to match the federal funds. The 100 percent funding provision is an indication of the continuing interest in transportation workforce development and provides for enhanced opportunities for the States to invest in employee professional development and student transportation career preparation.

What are some examples of “pipeline” programs that the core funds could be used to support?

Funds may be used for “education activities, including outreach, to develop interest and promote participation in surface transportation careers.” Funds may also be used for activities associated with “student transportation career preparation.” This could include, but not necessarily be limited to, student transportation related internships; cooperative education programs, university and college support activities, scholarship programs, and other efforts associated with transportation career outreach or that will help students prepare for a career in transportation. Funds could also be used for student outreach and internships associated with a particular project such as the T-REX project in Colorado.

How can the funds be used for employee education, training and professional development?

The core program funds can be used for a wide range of professional development activities that include training programs, academic course study, apprenticeship programs, and support for short-term work details or “rotational” assignments for the purpose of employee development. The core program funds may not be used to pay any portion of employee salaries. Core program funds could also be used for employee training and professional development that is necessary to support a specific surface transportation capital project, such as a major roadway or bridge construction project.

Can the core program funds be used for travel, equipment or materials purchases?

The funds can be used for travel, equipment or materials purchase, however the travel or equipment/materials purchase must be directly related to a defined employee training or professional development need, program or activity, or directly associated with a student transportation career awareness or preparation activity. The travel or equipment/material purchase must be used in primary support of the employee training or professional development, or student career activity. Travel to and from an industry meeting where training was one of several topics of discussion would not qualify for use of core funds. However, core funds could be used to support employee travel to and from a training or professional development program designed to improve the employees’ skill, knowledge or abilities in surface transportation management or a technical discipline i.e. travel to a National Highway Institute or other industry training and professional development program.

In the “pipeline” area for example, bus transportation for students to participate in a transportation career awareness or development program, such as Construction Career Days would also be eligible. Materials used to support student transportation programs such as the American Association of State Highway and Transportation Officials (AASHTO) TRAC Program and the Associated General Contractors’ (AGC) “Build Up” programs are just two of many types of programs and materials that could be paid for by core funds in support of student transportation career development.

Can the core program funds be used as matching funds for other federal programs such as the Local Technical Assistance Program (LTAP) or the University Transportation Centers (UTC)?

No. Federal funds cannot be used to match federal funds unless specifically provided for in statute and there is no provision in SAFETEA-LU or other statute that allows the core program funds in Section 5204(e) to be used as matching funds.

Are there any restrictions on the use of CMAQ or Transportation Enhancement (TE) funds for workforce development and training programs?

With the continuing emphasis on environmental issues and FHWA’s commitment to develop sound environmental policy, should a state or local government choose to use CMAQ or TE funds for workforce development or training purposes, the funds should be directed to activities related to the CMAQ or the TE program area, respectively.

How do the workforce provisions affect the funding available in the core programs?

The use of core program funds for workforce development is discretionary. This allows states the flexibility to determine whether they want to invest these funds in projects or programs directed at addressing their workforce needs. While the use of core funds for workforce development will reduce the funds available for capital projects, the investment will help assure transportation workers have the skills and knowledge they need to be efficient and effective in their work, and to apply new and innovative technologies. In this way, the use of core funds for workforce development will not compete with core program activities, but, in fact, will be an important complement to those programs and as a support to the States’ overall transportation mission.

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Solicitation Number: 1205

Status: Solicitation posted

Title: Support of the Transportation Curriculum Coordination Council (TCCC)

Sponsoring Agency: Federal Highway Administration

Sponsor Solicitation Contact: William Zaccagnino
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Lead Agency Contact: Christopher Newman
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Lead Agency: Federal Highway Administration

FHWA Technical Liaison: Christopher Newman
(Christopher.Newman@fhwa.dot.gov)

Partners: IA, MN, MO, TX

Date Posted: 5/20/2008 8:17:36 AM

Solicitation Expires: 3/31/2009

Commitment Start Year: 2008

Commitment End Year: 2013

Duration: 60 months

100% SP&R Approval: Approved

Commitments Required: \$5,000,000

Commitments Received: \$425,000

Background: Through contributions to a 5-year pooled fund (TPF 5-(046)), the TCCC has developed a Core Curriculum Matrix comprised of five program areas (Construction, Materials, Maintenance, Safety, and Employee Development) and provided training competencies for a wide variety of disciplines within each subject area. The curriculum is used by State and local DOTs in their efforts to establish training programs and to

develop specific courses for their technical personnel. It is also being used by the TCCC to guide its development of course materials to be shared nationwide. The curriculum matrices are designed to be a living document that will grow as the program continues to evolve; accordingly, the curriculum will be maintained on the TCCC website (www.nhi.fhwa.dot.gov/tccc) and will be updated periodically as new disciplines, course materials, and technologies emerge.

The TCCC also has several new training courses under development or recently completed for use by State and local DOTs:

∫ Managing Construction Workmanship (134055), designed for construction inspectors and resident engineers, provides information on roles and responsibilities, acceptance of work, and construction quality.

∫ The Bridge Construction Inspection (130088) course has been completed and is designed to give basic knowledge of bridge construction procedures to construction inspectors.

∫ Quality Assurance Technologies training developed as a joint effort between FHWA and the NETTCP

∫ The Pavement Preservation Online Guide and Training (131110) is now available for delivery and is intended to provide participants with an introduction to the Pavement Preservation Online Guide (PPOG) created by Caltrans and the National Center for Pavement Preservation. This course is primarily target at individuals unfamiliar with pavement preservation policy and technical information.

∫ The Ethics Awareness for the Transportation Industry course has been developed for online training and is designed to provide employees with the ethical expectations within their respective DOT. It may be modified to any States' codes.

∫ The Geotechnical steering committee has developed two new training courses: Mechanically Stabilized Earth Walls/ Reinforced Soil Slopes, and Subsurface Investigation Qualification Course.

∫ Courses under development include Inspection of Bridge Rehabilitation, Maintenance Leadership Academy, Use of GIS in Construction, and Environmental Factors in Highway Construction. Other recently-identified training needs include Embankment Inspection, Basic Earthwork for Inspectors, Placement and Testing of Self-Consolidating Concrete, and Inspection of Pipe Installation.

¿ The TCCC is partnering with contractor associations in the pavement preservation industry to expand the Maintenance Core Curriculum to provide greater detail on training and qualification contractor personnel and inspectors involved in the placement of pavement preservation treatments.

The objective of this effort is to increase the quality and performance of pavement preservation treatments, and to increase DOT confidence in the application of new "tools in the toolbox."

The pooled funds under the previous TCCC support project have been supplemented by FHWA Office of Asset Management, Office of Pavement Technology, and National Highway Institute to cover expenses related to training development and other activities. Such an extensive level of funding from the FHWA program offices has enabled them to support the TCCC to a level far beyond what was contributed by the States to the pooled fund. Because of current funding levels under FHWA appropriations, a similar level of funding support from FHWA cannot be expected. It is therefore critical that State involvement be secured for a new pooled fund project for continued support of the TCCC.

Objectives:

Rebuilding and maintaining the Nation's highways requires agencies and industry to have a trained and qualified workforce from agencies and industry. With the loss of experience in the workforce, training is an industry priority. Agencies and the highway industry across the country face this serious shortage of trained and experienced personnel because of attrition and an aging workforce. We must meet the challenge to preserve the system investments and carry out capital improvements for future growth.

Since 2000, the TCCC, a partnership between the FHWA, State and local DOTs, and private industry, has diligently worked to support the training of transportation industry's technical personnel. The TCCC's mission is to:

- ¿ Provide leadership at the national level.
- ¿ Develop and maintain national curricula for the various transportation disciplines.
- ¿ Identify training and certification requirements.
- ¿ Coordinate/facilitate training efforts.

To achieve its mission, the TCCC embraces the following objectives:

- ¿ Optimize resources through concentrated efforts in the development of core training and qualification mediums.
- ¿ Improve the skills and abilities of the transportation

Scope of Work:

technical personnel.

¿ Promote the sharing of technical training resources among government and private transportation industry organizations.

¿ Promote uniformity in training content and qualification requirements to facilitate reciprocity between States, local organizations, and regions.

¿ Optimize the usage of AASHTO standards in training development.

This project will be for the creation of a new pooled fund with similar goals to support the TCCC. It will be used for the further development of core curriculum, development of training materials, and tools for sharing training materials. Following is a list of initial activities that will be performed to continue the sharing of training and qualification resources among the transportation industry, while revising and developing identified core training materials and short courses:

¿ Core curriculum materials will be identified under the direction of the TCCC and fully developed under NHI contract or other partner entities (i.e. LTAP Center/State DOT) to address national training needs. Completely developed courses will offer between 80-90 percent of what State agencies, regional groups or industry technical groups need. Recipients may use core materials as developed or individually tailor the materials to meet specific needs for local or regional training programs.

¿ The Core Curriculum materials described above will be made available on the TCCC's website and will be searchable through an interactive database. The new pooled funds will be used to continue this development as well as maintain this dynamic, national database.

¿ Continue to promote uniformity in training content and qualification requirements.

¿ Continue to advocate the dissemination of information among training and certifying State, regional and industrial organizations.

¿ Provide a central repository for transportation training resources in the areas of Construction, Employee Development, Maintenance, Materials, and Safety.

¿ Further encourage the development and improvement of AASHTO standards and maximize their usage in member's training and qualification programs.

¿ The TCCC is coordinating with the NHI for hosting a suite of technical training courses to be available in a web-based format.

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