

Creative Workforce Investment Act

Section 1. Short Title

Creative Workforce Investment Act

Section 2. National Grants for Arts and Creative Workforce Programs.

Amends the Workforce Innovation and Opportunity Act (WIOA) to create a new grants program for the creative workforce.

a) Program Authorized

Authorizes the Department of Labor (DOL), in consultation with the National Endowment for the Arts (NEA), to award competitive grants to eligible entities to carry out arts and creative workforce programs.

b) Application

Eligible entities must submit an application to the Secretary (DOL) and the Chairperson (NEA) detailing the program the entity plans to carry out with the grant, including:

- Cost estimate;
- Timeline;
- Description of the final product and how it will be made accessible to the public;
- Number of proposed employees with barriers to employment (as defined by WIOA) and descriptions of such barriers;
- Whether the entity is working in coordination with a state or local workforce board;
- Grantees must be in compliance with NEA labor standards.

c) Uses of Funds

Grantees shall use funds to carry out an arts and creative workforce program that results in publicly accessible art or arts programming and employs individuals in the local area.

Programs may include:

- Outdoor events for the community (such as concerts, street fairs, art fairs, community arts events, performances, live music, etc);
- Interviews and written stories that capture and document the history of the United States:
 - through photographs, narratives, storytelling, murals, films, plays, and other media; and
 - that illuminate marginalized narratives and histories of all individuals, regardless of their income, age, race, religion, legal status, sexual orientation, or gender identity;

- Temporary or permanent visual, literary, or performative public artworks celebrating community identity such as:
 - Murals, painted benches, sculptures, and statues; and
 - Interactive or sound-based artworks; and
 - Performative artworks like concerts, readings, festivals, or displays of dance or theater;
- Poetry, writing, photography, theater, visual or media arts, or dance exhibitions; and
- Programs and works that support the arts in both schools and community cultural spaces.

No more than 5% of the funds appropriated may be used for administrative costs by DOL.

d) Report

One year after the first grant is awarded and each year after that, the Secretary (DOL) shall report the outcomes to Congress, including:

- The number of grants awarded to each type of eligible entity; and
- A description of each program assisted by such grant, including its location, length of employment of individual(s) in the project, the earnings of individuals two quarters after completion of the program, and employment status of individuals two quarters and four quarters after completion of the project.

e) Copyright Ownership

Makes clear that the artist/creative maintains copyright over their work. The federal government has the right to obtain, reproduce, publish, or otherwise use the work or authorize another entity to do so as long as it is for a federal purpose.

f) Authorization of Appropriations

Authorizes \$300,000,000 in appropriations to carry out the program for fiscal years 2024 through 2026.

g) Definitions

Creative Worker: any individual who earns (or previously earned) income through creative, cultural, or artistic-based pursuits to produce ideas, content, goods, and services (including educational services), without regard to whether such income is earned through employment as an independent contractor or as an employee for an employer. This may include an art director, artist, animator, sculptor, writer, author, poet, photographer, musician, singer, producer, director, actor, announcer, storyteller, comedian, dancer, architect, designer, programmer, choreographer, or a technician, backstage or behind-the-scenes staff, curator, arts or community arts educator, or other support staff member who makes creative work possible.

Eligible Entity: a State; a local area (or local board); Tribe; a public or private nonprofit agency or organization (including a consortium of such agencies or organizations) that employs creative individuals or supports the employment of creative workers; or a State workforce agency.

Section 3. Authorization of Funds for the NEA

Allows funds to be used by the NEA to provide consultation to the DOL.

Section 4. Table of Contents

The table of contents of the Workforce Innovation and Opportunity Act is amended by striking the item relating to section 172 and inserting the following:

172. National grants for arts and creative workforce programs.

173. Authorization of appropriations.