

APPROVAL OF APPLICANTS

SEC. 405. The Secretary shall approve an application under this title only if he finds that—

(a) Enrollees in the program will be employed under a contract or agreement between either a qualified community action board, where existing, or the Secretary and

(1) a public agency; or

(2) a private, nonprofit organization, other than a political party, provided that no such project shall involve the construction, operation of maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship; or

(3) a private, profitmaking employer, as provided under section 404.

(b) Enrollees in the program shall be employed under a contract or agreement providing that the enrollees will be given on-the-job training that meets the following requirements:

(1) The community action board is satisfied that an integral part of the program will consist of skill development and job training, that the training component of the program will involve reasonable progression for the enrollee consistent with his individual performance, that there is a reasonable likelihood that an enrollee who successfully completes the program will be qualified for suitable long-term employment by the employer, that enrollees will not displace employed workers or impair existing contracts for services and that conditions are such as to preclude exploitation of enrollees in any fashion.

(2) The employer is given full assurance that he shall have the same authority with reference to discipline, assignment of work, working conditions, and discharge of enrollees as he has for regular employees of comparable status.

(3) The community action board is satisfied that enrollees will be compensated at reasonable rates comparable to, but in no event in excess of, the rates of pay for regular employees performing similar services.

(4) No enrollee will be permitted to participate in the program for more than one year, except that an enrollee may be permitted to participate for one additional year if it is ascertained that (A) he will benefit from an additional year under the program, (B) his employer is making adequate provision for his possible long-term employment, (C) he is unable to qualify for suitable employment without part of his wages being paid from sources other than his employer or for other training suitable to his needs, and (D) consideration has been given to the feasibility of the employer paying a larger portion of his wages in view of his experience and training.

(5) The program shall be administered through a grant to the local community action board which shall, in turn, negotiate the terms and conditions of the contracts with private employers with due consideration for minimizing forms and technical procedures imposed upon employers.

(6) Community action boards shall be satisfied that, where appropriate, supplementary classroom instruction is provided enrollees.

(7) Under no circumstance shall an enrollee be employed under this program unless the components of training or supplemental education for the enrollee are provided.

(8) In the event the employer is a private, profitmaking concern, the employer shall pay at least 75 per centum of the enrollee's wage.

(9) In the event the employer is a public or nonprofit agency, the employer shall pay at least 25 per centum of the enrollee's wage during the fiscal year ending June 30, 1968, and at least 50 per centum of his wage during each succeeding fiscal year.

(c) In the absence of a local community action board, the Secretary shall be authorized to make direct contracts with employers in order to fulfill the requirements of this section.

SELECTION OF ENROLLEES

SEC. 406. (a) Selection for enrollment in programs assisted under this title shall be made by qualified community action boards or other qualified applicants in accordance with agreements with the Secretary.

(b) No person may participate as an enrollee in programs under this title unless—

(1) he has attained age sixteen but has not attained age twenty-two;