



Senate

General Assembly

File No. 130

February Session, 2016

Substitute Senate Bill No. 215

Senate, March 22, 2016

The Committee on Program Review and Investigations reported through SEN. FONFARA of the 1st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING APPRENTICESHIP EXPANSION BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-22m of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

3 When used in sections 31-22m to 31-22q, inclusive, as amended by
4 this act, [and] section 31-22u [, "apprentice"] and sections 5 and 6 of
5 this act:

6 (1) "Apprentice" means a person employed under a written
7 agreement to work at and learn a specific trade; ["apprentice
8 agreement"]

9 (2) "Apprentice agreement" means a written agreement entered into
10 by an apprentice, or on [his] such apprentice's behalf by his or her
11 parent or guardian, with an employer, or with an association of
12 employers and an organization of employees acting as a joint

13 apprenticeship committee; [, which agreement]

14 (3) "Apprenticeship" means an arrangement that (A) is formalized
15 by an apprentice agreement; (B) provides for [not less than two
16 thousand hours of] work experience in approved trade training;
17 [consistent with recognized requirements established by industry or
18 joint labor-industry practice and] (C) provides for the number of hours
19 of related and supplemental instructions prescribed by the Connecticut
20 State Apprenticeship Council; [or which agreement meets
21 requirements of the federal government for on-the-job training
22 schedules which are] and (D) is essential, in the opinion of the Labor
23 Commissioner, for the development of manpower in Connecticut
24 industries; ["council"]

25 (4) "Approved trade training" means a period of not less than two
26 thousand hours of work experience in a particular trade that is
27 consistent with recognized requirements established by industry or
28 joint labor-industry practice that are adopted by the Labor
29 Department; and

30 (5) "Council" means the Connecticut State Apprenticeship Council.

31 Sec. 2. Section 31-22o of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective October 1, 2016*):

33 The council may adopt recommendations for minimum standards
34 of apprenticeship and for related and supplementary instruction,
35 encourage registration and approval of apprentice agreements, [and
36 training programs,] and issue certificates of completion upon the
37 verification by employers or joint apprenticeship committees of the
38 satisfactory completion of the term of apprenticeship. The council shall
39 formulate policies for the effective administration of sections 31-22m to
40 31-22q, inclusive, as amended by this act, and section 31-22u. Such
41 policies by the council shall not invalidate any apprenticeship
42 provision in any collective bargaining agreement between employers
43 and employees. All apprentice programs adopted and registered with
44 the council under said sections shall be on a voluntary basis and shall

45 be installed for the purpose of developing skilled workers for the
46 service trades and industries of Connecticut.

47 Sec. 3. Section 31-22p of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2016*):

49 The Labor Commissioner, with the advice and guidance of the
50 council, shall formulate [work training] approved trade training
51 standards which will ensure necessary safeguards for the welfare of
52 apprentices and a full craft experience in any skill, in order to provide
53 equal opportunities to all, without regard to their race, color, religion,
54 sex, gender identity or expression, age or national origin, and to
55 provide training, employment and upgrading opportunities for
56 disadvantaged workers to acquire a comprehensive skilled work
57 experience and to extend the application of such standards of skill
58 training by inclusion thereof in [apprenticeship] apprentice
59 agreements, and shall bring together representatives of management
60 and labor for the development of training programs and terms of
61 apprenticeship incidental thereto and cooperate with state and federal
62 agencies similarly interested in furtherance of training requirements in
63 keeping with established and new processes of Connecticut industries.
64 The Labor Commissioner shall publish information relating to existing
65 and proposed work standards of apprenticeship, hold area conferences
66 throughout the state for the purpose of promoting interest in skilled
67 trades training and appoint such advisory committees as may be
68 deemed necessary to evaluate the skilled manpower requirements of
69 Connecticut in order to cope with any new technological changes in
70 industry.

71 Sec. 4. Section 31-22q of the general statutes is repealed and the
72 following is substituted in lieu thereof (*Effective October 1, 2016*):

73 (a) To assist in the administration of sections 31-22m to 31-22q,
74 inclusive, as amended by this act, and section 31-22u, there shall
75 continue to be maintained in the Labor Department a program of
76 apprentice training. The Labor Commissioner is authorized to appoint,
77 in accordance with the provisions of chapter 67, such personnel as may

78 be necessary for effective administration of said sections.

79 (b) Not later than January 1, 2015, and annually thereafter, the Labor
80 Department shall develop or approve an informational campaign to
81 distribute to Workforce Investment Boards, CTWorks One-Stop Career
82 Centers and similar job centers within the state. The informational
83 campaign shall include a description of the program of [apprentice
84 training] apprenticeship maintained in the department and shall
85 address common misperceptions regarding such program and the
86 various opportunities and benefits that apprenticeship [training] may
87 provide for unemployed individuals within the state.

88 Sec. 5. (NEW) (*Effective from passage*) (a) Not later than July 1, 2017,
89 the Labor Department shall (1) offer apprenticeships in all licensed
90 occupations that meet the minimum on-the-job training and
91 coursework requirements for apprenticeships; and (2) conduct a public
92 outreach and education campaign to encourage employers in such
93 licensed occupations to sponsor apprentices.

94 (b) The Labor Department shall explore the feasibility of creating an
95 employment trainee office capable of registering trainees for
96 participation in licensed occupations that require training but do not
97 offer apprenticeships. Such office shall collaborate with the Labor
98 Department's office of apprenticeship training to provide
99 comprehensive information regarding opportunities for training,
100 including, but not limited to: (1) The process by which current and
101 prospective trainees may access information relating to such training
102 opportunities on the department's Internet web site; and (2) an
103 accurate list of each occupation that accepts trainees within the state
104 and the number of trainees participating in each occupation within the
105 previous calendar year.

106 Sec. 6. (NEW) (*Effective from passage*) (a) Not later than July 1, 2016,
107 the Labor Commissioner shall identify the manufacturing occupations
108 that employ apprentices in the state.

109 (b) (1) Not later than October 1, 2016, the Labor Commissioner shall

110 convene a working group consisting of representatives from the
111 manufacturing occupations identified pursuant to subsection (a) of this
112 section, including, but not limited to, not less than six employers or
113 joint labor-management training programs in the state, not less than
114 three of which shall employ members of a labor union and not less
115 than three of which shall not employ members of a labor union.

116 (2) Not later than July 1, 2017, the working group convened by the
117 Labor Commissioner pursuant to subdivision (1) of this subsection
118 shall develop approved trade training requirements that shall include
119 not less than two of the following: A time-based approach,
120 competency-based approach or hybrid approach, as described in 29
121 CFR 29.5 (b) (i) to (iii), inclusive.

122 (3) Not later than October 1, 2017, the Connecticut State
123 Apprenticeship Council shall review the approved trade training
124 requirements developed pursuant to subdivision (2) of this subsection
125 and shall provide recommendations for any modifications to such
126 approved trade training requirements to the Labor Commissioner.

127 (4) Not later than December 1, 2017, the commissioner shall approve
128 and implement the approved trade training requirements provided by
129 the council pursuant to subdivision (3) of this subsection. The Labor
130 Commissioner may make additional modifications to such approved
131 trade training requirements, provided such modifications are
132 necessary for implementation pursuant to this subsection.

133 (c) Not later than January 15, 2018, the Labor Commissioner shall
134 review the general statutes and the regulations of public agencies to
135 determine the revisions to such statutes or regulations that are
136 necessary to offer approved trade training for apprentices that are
137 consistent with the time-based approach, competency-based approach
138 or hybrid approach, as described in 29 CFR 29.5 (b) (i) to (iii), inclusive,
139 and shall submit such determinations, in accordance with section 11-4a
140 of the general statutes, to the joint standing committee of the General
141 Assembly having cognizance of matters relating to labor.

142 (d) The Labor Commissioner shall adopt regulations, in accordance
143 with the provisions of chapter 54 of the general statutes, as the
144 commissioner deems necessary to implement the provisions of
145 subsections (b) and (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	31-22m
Sec. 2	<i>October 1, 2016</i>	31-22o
Sec. 3	<i>October 1, 2016</i>	31-22p
Sec. 4	<i>October 1, 2016</i>	31-22q
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section

PRI *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Labor Dept.	GF - Cost	541,986	541,986
State Comptroller - Fringe Benefits ¹	GF - Cost	216,469	216,469

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill expands required duties of the Department of Labor (DOL) with regard to apprenticeship programs, which results in a cost of \$758,455 in FY 17 and annually thereafter.

Specifically, the bill requires DOL to expand apprenticeships to all licensed occupations that meet certain minimum requirements by July 1, 2017, conduct a public outreach and education campaign to encourage employers in those occupations to sponsor apprentices, and convene a working group for manufacturing apprenticeships whose recommendations must be implemented by DOL by December 1, 2017.² It is anticipated that this expansion would require six additional Business Service Representatives (\$81,186 each for salary and \$32,426 for fringe costs) and one clerical position (\$54,870 for salary and \$21,915 for fringe costs) within DOL's existing Office of Apprenticeship Training.

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 39.94% of payroll in FY 17 and FY 18.

² Currently apprenticeships are offered in manufacturing, construction/maintenance, automotive and culinary arts trades. These apprenticeships are administered by 14 employees within DOL's Office of Apprenticeship Training.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 215*****AN ACT CONCERNING APPRENTICESHIP EXPANSION BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.*****SUMMARY:**

This bill expands the Department of Labor's (DOL) duties regarding apprenticeship programs. Among other things, it (1) redefines "apprenticeship" to limit the apprenticeship law's application to only those apprenticeships that the labor commissioner believes are essential to develop manpower in the state's industries and (2) increases the commissioner's role in determining the on-the-job training (renamed "approved trade training") requirements for apprenticeships.

The bill requires DOL, by July 1, 2017, to offer apprenticeships in all licensed occupations that meet the minimum on-the-job training and coursework requirements for apprenticeships. (Presumably, this requires DOL to offer apprenticeships for all occupations with licensing requirements that meet the training and coursework requirements.) It also requires DOL to conduct a public outreach and education campaign to encourage employers in those occupations to sponsor apprentices. (Current law requires DOL to develop on-the-job training safety standards and publish information about apprenticeships, but it does not require DOL to offer any particular apprenticeships. It is unclear how DOL can "offer" apprenticeships in any occupation, because an apprenticeship is an agreement between an apprentice and an employer who pays the apprentice.)

The bill requires the commissioner to convene a working group of representatives from manufacturing occupations that employ apprentices to develop approved trade training requirements

(presumably for the various manufacturing occupations). The state apprenticeship council must review the recommendations and the commissioner must implement them by December 1, 2017.

The bill also requires DOL to explore the feasibility of creating an employee training office that can register trainees to participate in licensed occupations that require training but do not offer apprenticeships. The office must collaborate with DOL's office of apprenticeship training to provide comprehensive information about training opportunities, including (1) how current and prospective trainees can access information about training opportunities on DOL's website and (2) an accurate list of occupations that accept trainees in the state and the number of trainees who participated in each occupation during the previous calendar year.

Lastly, the bill eliminates the state apprenticeship council's authority to encourage the registration and approval of apprenticeship training programs and makes several other minor, technical, and conforming changes.

EFFECTIVE DATE: The provisions (1) redefining "apprenticeship," requiring the labor commissioner's adoption of approved trade training requirements, and limiting the apprenticeship council's authority are effective October 1, 2016 and (2) requiring DOL to offer apprenticeships for all licensed occupations, look into creating an employment trainee office, and convene a manufacturing occupation workgroup are effective upon passage.

APPRENTICESHIP DEFINITION

The law, unchanged by the bill, requires the agreements between apprentices and their employers to contain certain provisions. Current law requires the agreements to either contain certain on-the-job training and coursework requirements or meet certain federal training schedules that the labor commissioner finds essential to develop manpower in the state's industries. The bill instead defines an apprenticeship as an arrangement, formalized in an agreement, that (1)

meets similar on-the-job training and coursework requirements and (2) is essential, in the commissioner's opinion, to develop manpower in the state's industries. Requiring both criteria to be met, instead of just one, requires apprenticeships to meet a higher threshold in order to be legally recognized.

APPROVED TRADE TRAINING

Current law requires apprenticeships to provide 2,000 hours of work experience training consistent with recognized requirements established by industry or joint labor-industry practice. The bill defines this training as "approved trade training" and requires the recognized requirements established by industry or joint labor-industry practice to also be adopted by DOL. (It is unclear how DOL must "adopt" the requirements.)

WORKING GROUP ON APPROVED TRADE TRAINING REQUIREMENTS

The bill requires the labor commissioner to identify the manufacturing occupations that employ apprentices in the state by July 1, 2016, and to convene a working group of representatives from those occupations by October 1, 2016. The representatives must include at least six from employers or joint labor-management training programs in the state. Three of the six must employ union members and three must not employ union members.

By July 1, 2017, the working group must develop approved trade training requirements (presumably for each manufacturing occupation) that include at least two of the following three federally defined approaches:

1. time-based (measures skill acquisition through the completion of at least 2,000 hours of on-the-job training);
2. competency-based (measures skill acquisition through verified demonstrations of acquired skills and knowledge, such as passing a test); or

3. hybrid (measures skill acquisition through a combination of the time-based and competency-based approaches).

The state apprenticeship council must review the working group’s training requirements and provide recommendations for modifications to the labor commissioner by October 1, 2017. The commissioner must approve and implement the council’s requirements by December 1, 2017. The commissioner can make additional modifications to the requirements if needed to implement them. (Because the bill requires apprenticeships to include “approved trade training” which it defines as a period of at least 2,000 hours of work experience in a particular trade, it appears that any requirements using a competency-based approach may not be allowed under the bill.)

The bill requires the commissioner to review the state’s laws and regulations to determine what revisions are needed to offer approved trade training for apprentices consistent with the time-based, competency-based or hybrid approaches. The commissioner must submit his determinations to the Labor and Public Employees Committee by January 15, 2018. He must also adopt any regulations he deems necessary to implement the bill’s provisions on working groups and offering apprentice training using time-based, competency-based, or hybrid approaches.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute

Yea 10 Nay 0 (03/07/2016)