

2023 Regular Session

HOUSE BILL NO. 421

BY REPRESENTATIVE LACOMBE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EMPLOYMENT: Requires a contractor for a state construction project to designate no less than two percent of man-hours in any apprenticeable occupation to registered apprentices

1 AN ACT

2 To enact R.S. 23:388.1 and R.S. 39:103(A)(1)(g) and 121(8), relative to apprenticeship; to
3 require contractors for state construction projects to employ certain apprentices; to
4 provide for apprenticeship agreements; to provide for contracts; to provide for
5 waivers; to provide for termination; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:388.1 is hereby enacted to read as follows:

8 §388.1. Apprenticeship requirements for state construction projects

9 A. Beginning August 1, 2023, in order to promote employment opportunities
10 for young people and to train a skilled workforce in this state, any employer who is
11 awarded a contract by the state of Louisiana to construct a capital project shall
12 designate no less than two percent of the man-hours in any apprenticeable
13 occupation, as provided for in R.S. 39:121, to apprentices who are registered
14 pursuant to this Chapter.

15 B. The director of apprenticeship shall approve all apprenticeship
16 agreements which are in furtherance of this Section and which meet the standards
17 established in this Chapter.

18 C.(1) If the secretary of the Louisiana Workforce Commission determines,
19 in good faith, that an insufficient number of registered apprentices is available for

1 a particular state construction project, the secretary shall certify the number of
2 registered apprentices who are available for the particular state construction project
3 and shall issue a waiver for the remaining number of jobs which would otherwise be
4 reserved for registered apprentices in order for the contractor to meet the two percent
5 man-hour requirement provided for in R.S. 39:121.

6 (2) The secretary shall provide the waiver to the office of facility planning
7 and control of the division of administration in compliance with R.S. 39:121.

8 Section 2. R.S. 39:103(A)(1)(g) and 121(8) are hereby enacted to read as follows:

9 §103. Standards for capital projects and evaluations

10 A.(1) The office of facility planning and control of the division of
11 administration shall establish standards for capital projects which shall include but
12 not be limited to criteria of requirements for:

13 * * *

14 (g) Standards for compliance for hiring apprentices as required in R.S.
15 39:121.

16 * * *

17 §121. Division of administration powers, duties, and functions

18 The division of administration, in accordance with the provisions of R.S.
19 39:1410 in order to exercise supervision over the expenditure of funds and the
20 construction projects, shall specifically:

21 * * *

22 (8)(a) Beginning August 1, 2023, require each contractor for a state
23 construction job to meet all of the following requirements:

24 (i) Except as provided for in Subparagraph (b) of this Paragraph, the
25 contractor shall designate no less than two percent of man-hours in any
26 apprenticeable occupation to be held by registered apprentices.

27 (ii) The contractor shall cooperate with the director of apprenticeship of the
28 Louisiana Workforce Commission and meet the standards and requirements of the

1 apprenticeship program as provided for in Chapter 4 of Title 23 of the Louisiana
2 Revised Statutes of 1950.

3 (b) If there is an insufficient number of registered apprentices available for
4 a particular state construction project, the requirements of R.S. 23:388.1(C)(1) shall
5 be waived but only to the extent that such insufficiency is certified by the secretary
6 of the Louisiana Workforce Commission.

7 Section 3. The provisions of this Act shall terminate on December 31, 2027.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 421 Original

2023 Regular Session

LaCombe

Abstract: Provides that a contractor for a state construction project cannot designate less than two percent of man-hours in any apprenticeable occupation to registered apprentices.

Proposed law requires any employer who is awarded a contract by the state to construct a capital project will designate no less than 2% of the man-hours in any apprenticeable occupation to registered apprentices.

Proposed law requires that the director of apprenticeship to approve the apprenticeship agreements under proposed law.

Proposed law provides that, if the secretary of LWC determines, in good faith, that an insufficient number of registered apprentices is available for a particular state construction project, the secretary shall certify the number of registered apprentices who are available for the particular state construction project and will issue a waiver for the remaining number of jobs which would otherwise be reserved for registered apprentices in order for the contractor to meet the 2% man-hour requirement.

Present law provides that the office of facility planning and control of the division of administration will establish standards and criteria for capital projects.

Proposed law retains present law and further requires that the office set standards for compliance for hiring apprentices as required by present law.

Proposed law provides that the division of administration shall require each contractor for a state construction job to meet all of the following requirements:

- (1) Except when the contractor receives a waiver from the secretary of LWC as provided for in proposed law, the contractor shall designate no less than 2% of man-hours in any apprenticeable occupation to be held by registered apprentices.
- (2) The contractor shall cooperate with the director of apprenticeship of LWC and meet the standards and requirements of the apprenticeship program as provided for in present law.

Proposed law further provides that if there is an insufficient number of registered apprentices available for a particular state construction project, the requirements of proposed law are to be waived only to the extent that such insufficiency is certified by the secretary of LWC.

Proposed law terminates on Dec. 31, 2027.

(Adds R.S. 23:388.1 and R.S. 39:103(A)(1)(g) and 121(8))