
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2041 Session of
2019

INTRODUCED BY TOBASH, PICKETT, RYAN, JAMES, PYLE, MENTZER, COX,
MILLARD, ZIMMERMAN, BERNSTINE, ECKER, GROVE, KEEFER AND
JONES, NOVEMBER 14, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, NOVEMBER 14, 2019

AN ACT

1 Repealing the act of July 14, 1961 (P.L.604, No.304), entitled
2 "An act relating to apprenticeship and training; creating a
3 State Apprenticeship and Training Council in the Department
4 of Labor and Industry to formulate an apprenticeship and
5 training policy and program, and defining its powers and
6 duties and providing for administration."

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of July 14, 1961 (P.L.604, No.304), known
10 as The Apprenticeship and Training Act, is repealed:

11 [AN ACT

12 Relating to apprenticeship and training; creating a State
13 Apprenticeship and Training Council in the Department of
14 Labor and Industry to formulate an apprenticeship and
15 training policy and program, and defining its powers and
16 duties and providing for administration.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Declaration of Policy.--It is declared to be the

1 policy of this act, (1) to encourage the development of an
2 apprenticeship and training system through the voluntary
3 cooperation of management and labor and interested State
4 agencies and in cooperation with other states and the Federal
5 Government; (2) to provide for the establishment and furtherance
6 of standards of apprenticeship and training to safeguard the
7 welfare of apprentices and trainees; (3) to aid in providing
8 maximum opportunities for unemployed and employed persons to
9 improve and modernize their work skills; and (4) to contribute
10 to a healthy economy by aiding in the development and
11 maintenance of a skilled labor force sufficient in numbers and
12 quality to meet the expanding needs of Pennsylvania industry and
13 to attract new industry.

14 Section 2. Short Title.--This act shall be known and may be
15 cited as "The Apprenticeship and Training Act."

16 Section 3. State Apprenticeship and Training Council.--There
17 is hereby created a State Apprenticeship and Training Council
18 (hereinafter called "The Council") as a departmental agency in
19 the Department of Labor and Industry to be composed of eleven
20 members who shall be appointed by the Governor. Four members
21 shall be representatives of employes and four members shall be
22 representatives of employers and three members shall be
23 representatives of the general public. Members of the council,
24 other than the ex-officio members, shall be appointed for a term
25 of four years and until their successors are appointed, except
26 that two of the original members shall be appointed for a term
27 of one year, two for a term of two years, and two for a term of
28 three years, and two for a term of four years. Members of the
29 council shall be eligible for reappointment. In case of a
30 vacancy, the Governor shall make an appointment for the

1 unexpired term. A Deputy Secretary of the Department of Labor
2 and Industry, the Director of the State Employment Service of
3 the Bureau of Employment Security of the Department of Labor and
4 Industry, the Executive Director of the Advisory Board on
5 Problems of Older Workers of the Department of Labor and
6 Industry, and the Coordinator of Industrial Education of the
7 Department of Public Instruction, and Chief of the Bureau of
8 Rehabilitation of the Department of Labor and Industry, shall be
9 ex-officio members of the council but shall not be entitled to
10 vote, except that in the event of a tie vote, the Deputy
11 Secretary of Labor and Industry shall have the right to cast the
12 tie-breaking vote. The council shall organize immediately upon
13 its appointment, and annually thereafter, by the election of one
14 of its members as chairman and another as vice-chairman, one of
15 whom shall be a representative of employes and the other a
16 representative of employers. Each member of the State
17 Apprenticeship and Training Council, except ex-officio members,
18 shall receive actual traveling expenses and per diem
19 compensation at the rate of twenty-five dollars (\$25) per day
20 for the time actually devoted to the business of the council.

21 Section 4. Powers and Duties.--(a) The council shall (1)
22 establish standards for apprenticeship in conformity with the
23 provisions of this act and applicable statutes and regulations
24 of the Federal Government; (2) adopt such rules and regulations,
25 subject only to the approval of the Secretary of Labor and
26 Industry, as may be necessary to carry out the intent and
27 purpose of this act; (3) compile such data on population and
28 employment trends, industrial production, vocational and
29 industrial education and job requirements as may be deemed
30 necessary to carry out the intent and purpose of this act; (4)

1 to terminate or cancel any apprenticeship agreements in
2 accordance with the provisions of such agreements or order
3 modifications of such agreements; (5) maintain close liaison
4 with Bureau of Apprenticeship and Training, the United States
5 Department of Labor, the State Board of Vocational Education,
6 the Department of Public Instruction, the Department of
7 Commerce, Bureau of Rehabilitation of the Department of Labor
8 and Industry, and Juvenile Forestry Camps under the Department
9 of Public Welfare, and such other agencies which carry on
10 programs closely related to the purposes of this act; (6)
11 conduct studies, surveys and investigations of the special
12 problems of retraining or training unemployed or employed
13 persons to improve or modernize work skills and make appropriate
14 recommendations to cooperating agencies described above, local
15 community organizations, local school boards and the Secretary
16 of Labor and Industry; (7) act as a convening agency in local
17 communities to bring together local representatives of employes,
18 employers, educational agencies and industrial development
19 agencies in order to promote closer local cooperation in
20 establishing better apprenticeship and other training programs
21 including programs for employed persons who wish to improve and
22 modernize their work skills; (8) use appropriate media of
23 information and education to acquaint employers, employes and
24 the public at large with the advantages and availability of
25 apprenticeship and other occupational training programs; (9)
26 study the effectiveness of apprenticeship agreements and make
27 recommendations in accordance with the provisions of such
28 agreements for their improvement; and (10) perform such other
29 duties as may be necessary to give full effect to the provisions
30 of this act.

1 (b) The council shall make a report to the Secretary of the
2 Department of Labor and Industry, on or before February
3 fifteenth, each year, indicating the extent of apprenticeship
4 and other occupational training programs during the previous
5 year, trends in employment requiring adjustments in
6 apprenticeship training and other occupational programs, needs
7 for expansion of apprenticeship and other occupational training
8 programs, activities of the council and such recommendations as
9 are in accord with the purposes of this act.

10 (c) No action affecting the status of an agreement shall be
11 taken by the council until an attempt has been made to bring the
12 employes and employer together to settle the problem in
13 conformity with the standards of the council.

14 Section 5. Meetings.--Meetings of the council shall be held
15 monthly and as often as is necessary in the opinion of the
16 majority of the council. The chairman shall designate the time
17 and place of the meetings and the secretary shall notify all
18 council members at least one week in advance of each meeting. A
19 majority of the voting membership of the council shall
20 constitute a quorum if at least one representative from both the
21 employe and employer groups is present.

22 Section 6. Administration.--The Secretary of the Department
23 of Labor and Industry shall appoint a Director of Apprenticeship
24 and Training who shall be responsible to the Secretary of Labor
25 and Industry in carrying out the provisions of this act and who
26 shall serve as ex-officio secretary of the council. The
27 Secretary of the Department of Labor and Industry is authorized
28 to appoint or make available to the Director of Apprenticeship
29 and Training such clerical, technical and professional services
30 necessary to the performance of his duties.

1 Section 7. Director Duties.--The Director of Apprenticeship
2 and Training shall carry out the purposes of this act. His
3 duties shall include, but shall not be limited to, (1)
4 encouragement and promotion of the standards established in
5 accordance with this act and with the basic standards of the
6 Federal Committee on Apprenticeship; (2) bringing about the
7 settlement of differences arising out of apprenticeship
8 agreements when the differences cannot be adjusted locally or in
9 accordance with established trade procedure; (3) supervision of
10 the execution of agreements and maintenance of standards; (4)
11 registration of apprenticeship agreements as the council shall
12 authorize as conforming to the established standards; (5)
13 keeping a record of apprenticeship agreements and, upon
14 performance thereof, issuing certificates of completion of
15 apprenticeship; (6) execution of the actions of the council in
16 all of its powers and duties under section 4 of this act; (7)
17 encouragement of liaison and cooperation between all private,
18 State and Federal agencies concerned with apprenticeship, trade
19 and industrial training; (8) promotion of employe, employer and
20 public awareness of apprenticeship and other occupational
21 training; and (9) keeping a record of the progress of
22 apprenticeship and training programs initiated in accordance
23 with the provisions of this act and informing the council
24 periodically as to the results.

25 Section 8. Limitation.--The provisions of this act shall
26 apply only to persons, copartnerships, associations,
27 corporations and political subdivisions, and employer
28 associations or organizations or associations of employes as
29 voluntarily elect to conform with its provisions.

30 Section 9. General Repeal.--All acts or parts of acts

1 inconsistent herewith are hereby repealed.

2 Section 10. This act shall become effective June 1, 1961.]

3 Section 2. This act shall take effect in 60 days.