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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS

Introduced By: Senators Goodwin, Ruggerio, Archambault, Lombardi, and P Fogarty

Date Introduced: May 16, 2013

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-3-3 of the General Laws in Chapter 28-3 entitled "Employment
2 of Women and Children" is hereby amended to read as follows:

3 **28-3-3. Issuance of limited permits for work by children.** -- The school committee of
4 each city or town, or any person that the school committee may designate, may issue for any child
5 who has completed fourteen (14) years of age a special limited permit to work, permitting the
6 employment of the child on days on which schools are not in session, and on school days at hours
7 in which schools are not in session, at any legal employment and subject to the requirements of
8 law limiting the employment of children, ~~but not for employment in factories or in mechanical or~~
9 ~~manufacturing establishments.~~ The permits to work shall be uniform throughout the state, and the
10 permit to work form shall be prescribed and provided by the department of labor and training.
11 The school committee of each city or town, or any person that the school committee may
12 designate to issue the permits to work provided for in this section, shall keep on file a copy of
13 each permit to work granted, together with the evidence on which the permit to work was granted.

14 SECTION 2. Chapter 28-3 of the General Laws entitled "Employment of Women and
15 Children" is hereby amended by adding thereto the following section:

16 **28-3-3.3. Manufacturing and industrial apprenticeship and internships.** – [Nothing in](#)
17 [this chapter shall be construed to preclude any manufacturing or industrial apprenticeship or](#)
18 [internship program, provided that the child is sixteen \(16\) years of age or older and that said](#)
19 [apprenticeship or internship program complies with the career and technical education regulations](#)

1 [promulgated by the board of education pursuant to Rhode Island General Laws section 16-45-1 et](#)
2 [al.](#)

3 SECTION 3. Section 28-45-3 of the General Laws in Chapter 28-45 entitled
4 "Apprenticeship Programs in Trade and Industry" is hereby amended to read as follows:

5 **28-45-3. Powers and duties.** -- (a) The department of labor and training is the agency
6 with responsibility and accountability for apprenticeship within Rhode Island for federal
7 purposes. The council shall be a regulatory council and part of the department of labor and
8 training. The council shall promulgate regulations consistent with 29 C.F.R. 29 and 30 at the
9 direction of the director of the department of labor and training and shall provide advice and
10 guidance to the director of the department of labor and training on the operation of the Rhode
11 Island apprenticeship program. Enforcement of apprenticeship rules and regulations shall be the
12 duty of the director of the department of labor and training. In addition, the council shall:

13 (1) Adopt rules and regulations to insure equality of opportunity in apprenticeship
14 programs pursuant to the Rhode Island state plan for equal opportunity in apprenticeship;

15 (2) Establish trade, craft, [manufacturing](#), or industrial standards for apprenticeship or
16 training agreements in cooperation with a joint employer and employee groups in conformity
17 with 29 C.F.R. 29.5;

18 (3) Establish program performance standards in conformity with 29 C.F.R. 29.6;

19 (4) Hold at least four (4) regular public meetings each year; any additional meetings
20 considered necessary shall be held at the call of the chairperson, or at the written request of a
21 majority of the members of the council;

22 (5) Formulate and publish rules of procedure for the function of local, regional, and state
23 joint apprenticeship committees and for the filling of vacancies on those committees;

24 (6) Adopt rules and regulations concerning the following:

25 (i) The contents of apprenticeship agreements in conformity with 29 C.F.R. 29.7;

26 (ii) Criteria for apprenticeable occupations as provided by 29 C.F.R. 29.4;

27 (iii) Reciprocal approval for federal purposes to apprentices, apprenticeship programs
28 and standards that are registered in other states by the U.S. department of labor or another state
29 apprenticeship program recognized by the U.S. department of labor if such reciprocity is
30 requested by the apprenticeship program sponsor;

31 (iv) The cancellation and/or deregistration of programs, and for temporary suspension,
32 cancellation, and/or deregistration of apprenticeship agreements as provided in 29 C.F.R. 29.8
33 and 29.9;

34 (v) The standards of apprenticeship, program performance standards, apprenticeship

1 agreements, deregistration of registered apprenticeship programs, reinstatement of apprenticeship
2 programs, and reciprocal approval of apprentices from other states.

3 (b) The department of labor and training in accord with its regulations and this chapter
4 shall:

5 (1) Encourage the promotion, expansion, and improvement of programs of
6 apprenticeship training and pre-apprenticeship and the making of apprenticeship agreements;

7 (2) Bring about the settlement of differences arising out of an apprenticeship agreement
8 when those differences cannot be adjusted locally or in accordance with established trade
9 procedure;

10 (3) Supervise the execution of agreements and maintenance of standards;

11 (4) Register or terminate or cancel the registration of apprenticeship programs and
12 apprenticeship agreements;

13 (5) Issue certificates of completion of apprenticeship;

14 (6) Keep a record of apprenticeship programs and apprentice agreements and their
15 disposition;

16 (7) Render any assistance and submit any information and data that may be requested by
17 employers, employees, and joint apprenticeship committees engaged in the formulation and
18 operation of programs of apprenticeship, particularly in regard to work schedules, wages,
19 conditions of employment, apprenticeship records, and number of apprentices;

20 (8) Adopt rules and regulations to insure nondiscrimination in all phases of
21 apprenticeship and employment during apprenticeship;

22 (9) Register trade, craft, [manufacturing](#), or industrial standards for apprenticeship or
23 training agreements in cooperation with joint employer and employee groups and in conformity
24 with this chapter, or approve and register trade, craft, [manufacturing](#), or industrial standards for
25 agreements submitted which are in conformity with this chapter, and disapprove those standards
26 or agreements submitted which are not in conformity with this chapter, to the extent deemed
27 appropriate;

28 (10) Establish committees and approve nominations to existing committees which are
29 submitted in conformity with this chapter;

30 (11) Terminate registration of committees for failure of the committee to abide by the
31 provisions of this chapter; and

32 (12) Perform any other duties that are described and imposed by this chapter.

1 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would remove the prohibition on school committees from issuing work permits
2 to children for employment in factories or mechanical or manufacturing establishments. The act
3 would also direct the department of labor to establish manufacturing standards for apprenticeship
4 or training agreements with a joint employer and employee groups.

5 This act would take effect upon passage.

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