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LC02545/SUB A
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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. Chapter 28-3 of the General Laws entitled "Employment of Women and
2 Children" is hereby amended by adding thereto the following section:

3 **28-3-3.3. ~~Manufacturing and industrial apprenticeship and internships~~**
4 **Manufacturing and industrial pre-apprenticeship and internships.** – [Nothing in this chapter](#)
5 [shall be construed to preclude any manufacturing or industrial pre-apprenticeship or internship](#)
6 [program, provided that the child is sixteen \(16\) years of age or older and that said pre-](#)
7 [apprenticeship or internship program complies with the career and technical education regulations](#)
8 [promulgated by the board of education pursuant to Rhode Island General Laws section 16-45-1 et](#)
9 [al.](#)

10 SECTION 2. Section 28-45-3 of the General Laws in Chapter 28-45 entitled
11 "Apprenticeship Programs in Trade and Industry" is hereby amended to read as follows:

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

- 1 (1) Adopt rules and regulations to insure equality of opportunity in apprenticeship
2 programs pursuant to the Rhode Island state plan for equal opportunity in apprenticeship;
- 3 (2) Establish trade, craft, [manufacturing](#), or industrial standards for apprenticeship or
4 training agreements in cooperation with a joint employer and employee groups in conformity
5 with 29 C.F.R. 29.5;
- 6 (3) Establish program performance standards in conformity with 29 C.F.R. 29.6;
- 7 (4) Hold at least four (4) regular public meetings each year; any additional meetings
8 considered necessary shall be held at the call of the chairperson, or at the written request of a
9 majority of the members of the council;
- 10 (5) Formulate and publish rules of procedure for the function of local, regional, and state
11 joint apprenticeship committees and for the filling of vacancies on those committees;
- 12 (6) Adopt rules and regulations concerning the following:
- 13 (i) The contents of apprenticeship agreements in conformity with 29 C.F.R. 29.7;
- 14 (ii) Criteria for apprenticeable occupations as provided by 29 C.F.R. 29.4;
- 15 (iii) Reciprocal approval for federal purposes to apprentices, apprenticeship programs
16 and standards that are registered in other states by the U.S. department of labor or another state
17 apprenticeship program recognized by the U.S. department of labor if such reciprocity is
18 requested by the apprenticeship program sponsor;
- 19 (iv) The cancellation and/or deregistration of programs, and for temporary suspension,
20 cancellation, and/or deregistration of apprenticeship agreements as provided in 29 C.F.R. 29.8
21 and 29.9;
- 22 (v) The standards of apprenticeship, program performance standards, apprenticeship
23 agreements, deregistration of registered apprenticeship programs, reinstatement of apprenticeship
24 programs, and reciprocal approval of apprentices from other states.
- 25 (b) The department of labor and training in accord with its regulations and this chapter
26 shall:
- 27 (1) Encourage the promotion, expansion, and improvement of programs of
28 apprenticeship training and pre-apprenticeship and the making of apprenticeship agreements;
- 29 (2) Bring about the settlement of differences arising out of an apprenticeship agreement
30 when those differences cannot be adjusted locally or in accordance with established trade
31 procedure;
- 32 (3) Supervise the execution of agreements and maintenance of standards;
- 33 (4) Register or terminate or cancel the registration of apprenticeship programs and
34 apprenticeship agreements;

- 1 (5) Issue certificates of completion of apprenticeship;
- 2 (6) Keep a record of apprenticeship programs and apprentice agreements and their
3 disposition;
- 4 (7) Render any assistance and submit any information and data that may be requested by
5 employers, employees, and joint apprenticeship committees engaged in the formulation and
6 operation of programs of apprenticeship, particularly in regard to work schedules, wages,
7 conditions of employment, apprenticeship records, and number of apprentices;
- 8 (8) Adopt rules and regulations to insure nondiscrimination in all phases of
9 apprenticeship and employment during apprenticeship;
- 10 (9) Register trade, craft, [manufacturing](#), or industrial standards for apprenticeship or
11 training agreements in cooperation with joint employer and employee groups and in conformity
12 with this chapter, or approve and register trade, craft, [manufacturing](#), or industrial standards for
13 agreements submitted which are in conformity with this chapter, and disapprove those standards
14 or agreements submitted which are not in conformity with this chapter, to the extent deemed
15 appropriate;
- 16 (10) Establish committees and approve nominations to existing committees which are
17 submitted in conformity with this chapter;
- 18 (11) Terminate registration of committees for failure of the committee to abide by the
19 provisions of this chapter; and
- 20 (12) Perform any other duties that are described and imposed by this chapter.

21 SECTION 3. 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 direct the department of labor to establish manufacturing standards for
- 2 pre-apprenticeship or training agreements with a joint employer and employee groups.
- 3 This act would take effect upon passage.

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