

**Representative Mike Winder** proposes the following substitute bill:

**APPRENTICESHIP NOMENCLATURE ACT**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

Senate Sponsor: Karen Mayne

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Apprenticeship Act.

**Highlighted Provisions:**

This bill:

- ▶ defines terms, including apprenticeship, pre-apprenticeship, and youth apprenticeship;
- ▶ modifies the responsibilities of the Commissioner of Apprenticeship Programs; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**35A-6-102**, as last amended by Laws of Utah 2019, Chapter 224

**35A-6-105**, as last amended by Laws of Utah 2020, Chapter 365

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*Be it enacted by the Legislature of the state of Utah:*



26 Section 1. Section 35A-6-102 is amended to read:

27 **35A-6-102. Definitions.**

28 As used in this chapter and in Title 34, Labor in General:

29 (1) "Apprentice" means an individual who has entered into:

30 (a) a written agreement approved by the Office of Apprenticeship with an employer or  
31 the employer's agent, an association of employers, an organization of employees, or a joint  
32 committee representing employers and employees;

33 (b) an apprenticeship that meets Office of Apprenticeship standards; or

34 (c) an apprenticeship that can be completed at no charge to the participant where the  
35 participant learns and works with registered standards to learn a set of skills that result in the  
36 participant qualifying for a state license or certification or earning industry recognized  
37 credentials at the completion of the apprenticeship.

38 (2) "Apprenticeship" means an industry-driven, high-quality career pathway where  
39 employers can develop and prepare their future workforce, and individuals can obtain paid  
40 work experience, classroom instruction, and a portable, nationally recognized credential.

41 [~~(2)~~] (3) "Commissioner" means the Commissioner of Apprenticeship Programs  
42 described in Section 35A-6-105.

43 [~~(3)~~] (4) "Office of Apprenticeship" means the federal agency designated by the United  
44 States Department of Labor to oversee apprenticeship programs.

45 (5) "Pre-apprenticeship" means a program or set of strategies that is designed to  
46 prepare individuals to enter and succeed in an apprenticeship program with registered  
47 standards.

48 (6) "Youth apprenticeship" means a program or set of strategies that combines  
49 academic and technical classroom instruction with work experience through an apprenticeship  
50 program and which provides the foundation for youth in high school to choose among multiple  
51 pathways, including enrolling in college, beginning full-time employment, or a combination of  
52 college and employment.

53 Section 2. Section 35A-6-105 is amended to read:

54 **35A-6-105. Commissioner of Apprenticeship Programs.**

55 (1) There is created the position of Commissioner of Apprenticeship Programs within  
56 the department.

57 (2) The commissioner shall be appointed by the executive director and chosen from  
58 one or more recommendations provided by a majority vote of the State Workforce  
59 Development Board.

60 (3) The commissioner may be terminated without cause by the executive director.

61 (4) The commissioner shall:

62 (a) promote and educate the public, including high school guidance counselors and  
63 potential participants in apprenticeship programs, about apprenticeship ~~[programs]~~, youth  
64 apprenticeship, and pre-apprenticeship programs offered in the state, including apprenticeship  
65 ~~[programs]~~, youth apprenticeship, and pre-apprenticeship programs offered by private sector  
66 businesses, trade groups, labor unions, partnerships with educational institutions, and other  
67 associations in the state;

68 (b) coordinate with the department and other stakeholders, including union and  
69 nonunion apprenticeship programs, the Office of Apprenticeship, the State Board of Education,  
70 the Utah system of higher education, the Department of Commerce, the Division of  
71 Occupational and Professional Licensing, and the Governor's Office of Economic Development  
72 to improve and promote apprenticeship opportunities in the state; and

73 (c) provide an annual written report to:

74 (i) the department for inclusion in the department's annual written report described in  
75 Section [35A-1-109](#);

76 (ii) the Business, Economic Development, and Labor Appropriations Subcommittee;  
77 and

78 (iii) the Higher Education Appropriations Subcommittee.

79 (5) The annual written report described in Subsection (4)(c) shall provide information  
80 concerning:

81 (a) the number of available apprenticeship, youth apprenticeship, and  
82 pre-apprenticeship programs in the state;

83 (b) the number of ~~[apprentices participating]~~ apprentice participants in each program;

84 (c) the completion rate of each program;

85 (d) the cost of state funding for each program; and

86 (e) recommendations for improving apprenticeship, youth apprenticeship, and  
87 pre-apprenticeship programs.