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A BILL  
20-1038

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend, on a temporary basis, an Act to Provide for Voluntary Apprenticeship in the District of Columbia Act and the Amendments to an Act to Provide for Voluntary Apprenticeship in the District of Columbia Act of 1978 to make technical and conforming amendments to allow the District of Columbia to continue to be recognized by the US Department of Labor to operate as a State Apprenticeship Agency pursuant to Title 29 CFR, part 29.13.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Apprenticeship Modernization Temporary Amendment Act of 2014”.

Sec. 2. An Act to Provide for Voluntary Apprenticeship in the District of Columbia Act, approved May 21, 1946 (60 Stat. 204, ch. 267: D.C. Official Code § 32-1401 *et seq.*) is amended as follows:

(a) Section 1 (D.C. Official Code § 32-1401) is amended as follows:

(1) After the phrase “It is the purpose of this subchapter to open to” strike the phrase “young people in the District of Columbia” and insert the phrase “residents of the District of Columbia” in its place.

(2) After the phrase “to promote employment opportunities”, strike the phrase “young people” and insert the phrase “District of Columbia residents” in its place.

**ENGROSSED ORIGINAL**

29                   (3) After the phrase “local joint trade apprenticeship committees”, insert the  
30 phrase “and non-joint committees”.

31                   (4) After the phrase “to assist in effectuating the purposes of this subchapter”,  
32 strike the phrase “to provide for a director” and insert the phrase “to provide for an associate  
33 director” in its place.

34                   (5) After the phrase “apprenticeship within the District of Columbia”, strike the  
35 phrase “to provide reports to the Congress” and insert the phrase “to provide reports to the  
36 Council of the District of Columbia” in its place.

37                   (b) Section 2 (D.C. Official Code § 32-1402) is amended as follows:

38                   (1) Strike the word “superintendent” and insert the word “Chancellor” in its place.

39                   (2) After the phrase “appointed for a term of three years.”, insert a new sentence that  
40 reads:

41                   “At the end of a term, a member shall continue to serve until a successor is appointed and  
42 sworn into office.”

43                   (3) Strike the sentence “The compensation of each member not otherwise  
44 compensated by public money shall be paid not more than \$ 25 per day for each day spent in  
45 attendance at meetings of the Apprenticeship Council; provided, however, that any applicable  
46 laws passed by the Council of the District of Columbia shall supersede the provisions of this  
47 section.”

48                   (c) Section 3 (D.C. Official Code § 32-1403) is amended by striking the existing  
49 language in its entirety and inserting new language to read as follows:

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51           “32-1403. Associate Director of Apprenticeship; registration agency; assistance  
52 authorized.

53           The Director of the Department of Employment Services shall appoint an Associate  
54 Director of Apprenticeship whose office shall have responsibility and accountability for the  
55 apprenticeship system in the District of Columbia. The DC Office of Apprenticeship,  
56 Information and Training hereinafter known as the Registration Agency, shall have the authority  
57 to approve apprenticeship registration for federal purposes. Without regard for the provisions of  
58 any other law with respect to the appointment of officers and employees of the District of  
59 Columbia, the Associate Director of Apprenticeship shall be chosen from among the employees  
60 of Apprenticeship Training Service actually engaged in formulating and promoting standards of  
61 apprenticeship under the provisions of An Act to enable the Department of Labor to formulate  
62 and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices  
63 and to cooperate with the States in the promotion of such standards, effective August 16, 1937  
64 (50 Stat. 664; 29 U.S.C. §§ 50, 50a and 50b). The Office of Apprenticeship, Information and  
65 Training is further authorized to supply the Associate Director or the Council with such clerical,  
66 technical, and professional assistance as shall be deemed by said office to be essential to  
67 effectuate the purposes of this subchapter.”

68           (d) Section 4 (D.C. Official Code § 32-1404) is amended as follows:

69                   (1) After the phrase “meet at the call of the”, insert the word “Associate”.

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71                   (2) Strike the phrase “Secretary of Labor” and insert the phrase “Director of the  
72 Director of the Department of Employment Services” in its place.

73                   (3) Strike the sentence “Not less than once every 2 years the Apprenticeship  
74 Council shall make a report through the Mayor of its activities and findings to Congress and to  
75 the public.” and insert a new sentence that reads:

76                   “Once every year the Registration Agency shall make a report through the Mayor of its  
77 activities and findings to the Council of the District of Columbia and to the public.”

78                   (e) Section 5 (D.C. Official Code § 32-1405) is amended by striking the existing  
79 language after the section heading in its entirety and inserting new language that reads as  
80 follows:

81                   “The Associate Director, under the supervision of the Director of the Department of  
82 Employment Services and with the advice and guidance of the Apprenticeship Council, is  
83 authorized to administer the provisions of this subchapter in cooperation with the Apprenticeship  
84 Council, local joint apprenticeship committees, and non-joint apprenticeship committees to set  
85 up conditions and training standards for apprentices, which conditions or standards shall in no  
86 case be lower than those prescribed by this subchapter; to act as secretary of the Apprenticeship  
87 Council; to approve, if approval is in the best interest of the apprentice, any apprentice  
88 agreement which meets the standards established by or in accordance with this subchapter; to  
89 terminate or cancel any apprenticeship agreement in accordance with the provisions of such  
90 agreement; to engage with the state Board of Education and the area community colleges on the  
91 administration and supervision of related and supplemental instruction for apprentices, to ensure

92 coordination of the instruction with job experiences; and to perform such other duties as are  
93 necessary to carry out the intent of this subchapter.”

94 (f) Section 6 (D.C. Official Code § 32-1406) is amended as follows:

95 (1) Strike the sentence “Local joint trade apprenticeship committees in any trade  
96 or group of trades may be approved by the Apprenticeship Council.” and insert a new sentence  
97 that reads as follows:

98 “Local joint apprenticeship committees and non-joint apprenticeship committees in any  
99 trade or group of trades may be submitted to the Registration Agency for approval.”

100 (2) After the phrase “bona fide employee organization,” strike the language “the  
101 Apprenticeship Council may appoint a joint trade apprenticeship committee from persons known  
102 to represent the interests of employers and of employees, or the Council may act itself as such  
103 joint committee. Subject to the review of the Council, and in accordance with standards  
104 established by or under authority of this subchapter, joint trade apprenticeship committees” and  
105 insert new language to read as follows:

106 “the Registration Agency with the advice and guidance of the Apprenticeship Council  
107 may approve a joint trade apprenticeship committee and a non-joint apprenticeship committee  
108 also referred to as unilateral or group non-joint committee. Subject to the approval of the  
109 Registration Agency, and in accordance with standards established by or under authority of this  
110 subchapter, joint trade apprenticeship committees and non-joint apprenticeship committees”.

111 (g) Section 7 (D.C. Official Code § 32-1407) is amended by striking the existing  
112 language after the section heading in its entirety and inserting new language that reads as  
113 follows:

114 “The term “apprentice” as used herein, shall mean a worker at least 16 years of age,  
115 except when a higher minimum age standard age is otherwise fixed by law, who is employed to  
116 learn an apprenticeable occupation meeting the criteria approved by Registration Agency; and  
117 who has entered into a written agreement, hereinafter called an apprenticeship agreement,  
118 between the apprentice and either the apprentice’s program sponsor, or an apprenticeship  
119 committee acting as agent for the program sponsor(s), which contains the terms and conditions  
120 of the employment and training of the apprentice.”.

121 (h) Section 8 (D.C. Official Code § 32-1408) is amended by striking the existing  
122 language after the section heading in its entirety and inserting new language that reads as  
123 follows:

124 “Every apprenticeship agreement entered into under this subchapter shall contain:

125 (1) The names and signatures of the contracting parties, including the  
126 apprentice’s parent or guardian, if a minor, and the contact information of the Program Sponsor  
127 and Registration Agency;

128 (2) The date of birth of the apprentice and Social Security Number given on a  
129 voluntary basis;

130 (3) A statement of the craft, or occupation which the apprentice is to be taught  
131 and the time at which the apprenticeship will begin and end;

132           (4) A statement showing the number of hours to be spent by the apprentice in on-  
133 the-job learning in a time based program; or a description of the skill sets to be attained by  
134 completion of a competency-based program, including the on-the-job-learning component; or the  
135 minimum number of hours to be spent by the apprentice and a description of the skill sets to be  
136 attained by completion of a hybrid program; and provisions for related and supplemental  
137 instruction;

138           (5) A statement setting forth a schedule of the processes in the occupation or  
139 industry divisions in which the apprentice is to be trained and the approximate time to be spent  
140 at each process;

141           (6) A statement of the graduated scale of wages to be paid the apprentice and  
142 whether the required school time shall be compensated;

143           (7) A statement providing for a period of probation without adverse impact on the  
144 sponsor during which time the apprenticeship agreement shall be terminated by the Associate  
145 Director at the request in writing of the apprentice or, suspended or cancelled by the sponsor for  
146 good cause with due notice to the apprentices and a reasonable opportunity for corrective action  
147 with due notice to the Associate Director, and providing that after such probationary period the  
148 apprenticeship may be cancelled by the Associate Director by mutual agreement of all parties  
149 thereto, or canceled by the Associate Director for good and sufficient reasons;

150           (8) Contact information (name, address, phone, and e-mail if appropriate) of the  
151 Associate Director of the Registration Agency designated under the program to receive, process  
152 and make disposition of controversies or differences arising out of the apprenticeship agreement

153 when the controversies or differences cannot be adjusted locally or resolved in accordance with  
154 the established procedure or applicable collective bargaining provisions.

155 (9) A provision that a sponsor who is unable to fulfill the obligations under the  
156 apprenticeship agreement may, with the approval of the Associate Director or under the direction  
157 of the joint trade apprenticeship committee or non-joint apprenticeship committee or individual  
158 sponsor transfer such contract to any other sponsor provided that the apprentice consents and that  
159 such other sponsor agrees to assume the obligations of said apprenticeship agreement; the  
160 transferring apprentice is provided a transcript of related instruction and on-the-job learning by  
161 the program sponsor; the transfer is to the same occupation; and a new apprenticeship agreement  
162 is executed when the transfer between program sponsors occurs; and

163 (10) Such additional terms and conditions as may be prescribed or approved by  
164 the Registration Agency with the advice and guidance of the Apprenticeship Council if not  
165 inconsistent with the provisions of this subchapter.

166 (i) Section 9 (D.C. Official Code § 32-1409) is amended as follows:

167 (1) After the phrase “registered or approved by the”, insert the word “Associate”.

168 (2) After the phrase “has been approved by the”, insert the word “Associate”.

169 (j) Section 10 (D.C. Official Code § 32-1410) is amended as follows:

170 (1) Subsection (a) is amended as follows:

171 (A) After the phrase “upon his own initiative, the”, insert the word “Associate”.

172 (B) After the phrase “under this subchapter, and”, strike the word “he”.

173 (C) Strike the phrase “Secretary of Labor” and insert the phrase  
174 “Registration Agency” in its place.

175 (2) Subsection (b) is amended as follows:

176 (A) After the phrase “The determination of the”, insert the word  
177 “Associate”.

178 (B) After the phrase “shall be filed with the”, insert the word  
179 “Apprenticeship”.

180 (C) After the phrase “If no appeal”, strike the phrase “therefrom is filed  
181 with the Council” and insert the phrase “is filed with the Apprenticeship Council” in its place.

182 (D) After the phrase “shall become the order of the”, insert the word  
183 “Apprenticeship”.

184 (E) Strike the sentence “Any person aggrieved by any determination or  
185 action of the Director may appeal therefrom to the Council, which shall hold a hearing thereon  
186 after due notice to the interested parties.” and insert a new sentence that reads as follows:

187 “Any person aggrieved by any determination or action of the Associate Director may  
188 appeal to the Apprenticeship Council, which shall hold a hearing after due notice to the  
189 interested parties.”

190 (F) After the phrase “aggrieved by the action of the”, insert the word  
191 “Apprenticeship”.

192 (k) Section 12 (D.C. Official Code § 32-1412) is repealed

193           Sec. 3. Section 5 (c)(2) of the Amendments to an Act to Provide for Voluntary  
194 Apprenticeship in the District of Columbia Act of 1978, effective March 6, 1979 (D.C. LOaw 2-  
195 156; D.C. Official Code § 32-1431) is amended by striking the phrase “Contracting Officer” in  
196 each place it appears and inserting he phrase “Department of Employment Services” in its place.

197           Sec. 4. Fiscal impact statement.

198           The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
199 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved  
200 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

201           Sec. 4. Effective date.

202           (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
203 the Mayor, action by the Council to override the veto), a 30-day period of Congressional review  
204 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
205 24, 1973 (87 Stat. 813;D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
206 Columbia Register.

207           (b) This act shall expire after 225 days of having taken effect.