

HOUSE BILL REPORT

SB 5584

As Passed House:
April 8, 2011

Title: An act relating to conforming with federal labor standards for apprenticeship programs.

Brief Description: Concerning the conforming of apprenticeship program standards to federal labor standards.

Sponsors: Senators Harper, Kohl-Welles and Kline; by request of Department of Labor & Industries.

Brief History:

Committee Activity:

Labor & Workforce Development: 3/8/11, 3/16/11 [DP].

Floor Activity:

Passed House: 4/8/11, 56-39.

Brief Summary of Bill

- Changes state apprenticeship law to conform to federal apprenticeship regulations by transferring rule-making authority for apprenticeship from the Washington State Apprenticeship and Training Council to the Department of Labor and Industries.

HOUSE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

Majority Report: Do pass. Signed by 8 members: Representatives Sells, Chair; Reykdal, Vice Chair; Green, Kenney, Miloscia, Moeller, Ormsby and Roberts.

Minority Report: Do not pass. Signed by 5 members: Representatives Condotta, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Fagan, Taylor and Warnick.

Staff: Alison Hellberg (786-7152).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Washington State Apprenticeship and Training Council (Council) establishes apprenticeship program standards, approves apprenticeship training programs, and otherwise governs the programs. The Department of Labor and Industries (Department) encourages and promotes apprenticeship agreements, records apprenticeship agreements, and otherwise aids the Council in carrying out its functions.

The Secretary of the United States Department of Labor (Secretary) delegates to the state authority to certify apprenticeship programs for federal purposes. Employers of apprentices in certified programs may pay the apprentices less than journey-level wages on public works jobs. Apprentices that complete certified programs are recognized as qualified journey workers nationwide. The Secretary delegates authority only if state apprenticeship law conforms with federal apprenticeship regulations.

Changes in federal regulations in December 2008 require that a state apprenticeship agency, and not a state apprenticeship council, have responsibility and accountability for apprenticeship within the state. States were required to be in compliance with these changes by December 29, 2010.

Summary of Bill:

The Department is the agency with responsibility and accountability for apprenticeship within the state for federal purposes. The Director of the Department (Director), rather than the Council, has rule-making authority for apprenticeship. The Director must consult with the Council and receive the Council's recommendations prior to adopting rules. Any decision of the Council affecting registration and oversight of apprenticeship programs and agreements may be appealed to the Director within 30 days of a Council decision.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The main issue in this bill is protecting portability. The training that apprentices receive in Washington should be recognized across the country. There was opposition in the Senate Labor, Commerce, and Consumer Protection committee hearing, but it passed out of the Senate unanimously. The House Labor and Workforce Development committee passed the same bill out of committee. This bill brings the agency into compliance with federal regulations regarding apprenticeship.

(Opposed) None.

Persons Testifying: Tamara Jones, Department of Labor and Industries.

Persons Signed In To Testify But Not Testifying: None.