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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
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	.	

The Committee on Higher Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete lines 31 - 154

and insert:

Section 1. Subsections (2), (4), and (9) of section 446.021, Florida Statutes, are amended to read:

446.021 Definitions of terms used in ss. 446.011-446.092.—
As used in ss. 446.011-446.092, the term:

(2) "Apprentice" means a person at least 16 years of age who is engaged in learning a recognized skilled trade through



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11 actual work experience under the supervision of journeyworker
12 ~~journeymen~~ craftsmen, which training should be combined with
13 properly coordinated studies of related technical and
14 supplementary subjects, and who has entered into a written
15 agreement, which may be cited as an apprentice agreement, with a
16 registered apprenticeship sponsor who may be either an employer,
17 an association of employers, or a local joint apprenticeship
18 committee.

19 (4) "Journeyworker" ~~"Journeyman"~~ means a worker who has
20 attained certain skills, abilities, and competencies and who is
21 recognized within an industry as having mastered the skills and
22 competencies required for the occupation, including, but not
23 limited to, attainment of a nationally recognized industry
24 certification. The term includes a mentor, technician,
25 specialist, or other skilled worker who has documented
26 sufficient skills and knowledge of an occupation, through formal
27 apprenticeship, attainment of a nationally recognized industry
28 certification, or through practical, on-the-job experience or
29 formal training a person working in an apprenticeable occupation
30 ~~who has successfully completed a registered apprenticeship~~
31 ~~program or who has worked the number of years required by~~
32 ~~established industry practices for the particular trade or~~
33 ~~occupation.~~

34 (9) "Related instruction" means an organized and systematic
35 form of instruction designed to provide the apprentice with
36 knowledge of the theoretical and technical subjects related to a
37 specific trade or occupation. Such instruction may be given in a
38 classroom, through occupational or industrial courses, or by
39 correspondence courses of equivalent value, including electronic



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40 media or other forms of self-study instruction approved by the
41 department.

42 Section 2. Subsection (1) of section 446.032, Florida
43 Statutes, is amended to read:

44 446.032 General duties of the department for apprenticeship
45 training.—The department shall:

46 (1) Establish uniform minimum standards and policies
47 governing apprentice programs and agreements. The standards and
48 policies shall govern the terms and conditions of the
49 apprentice's employment and training, including the quality
50 training of the apprentice for, but not limited to, such matters
51 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,
52 related instruction, and on-the-job training; but these
53 standards and policies may not include rules, standards, or
54 guidelines that require the use of apprentices and job trainees
55 on state, county, or municipal contracts. The department may
56 adopt rules necessary to administer the standards and policies.

57 Section 3. Paragraph (b) of subsection (2) of section
58 446.045, Florida Statutes, is amended to read:

59 446.045 State Apprenticeship Advisory Council.—

60 (2)

61 (b) The Commissioner of Education or the commissioner's
62 designee shall serve ex officio as chair of the State
63 Apprenticeship Advisory Council, but may not vote. The state
64 director of the Office of Apprenticeship of the United States
65 Department of Labor shall serve ex officio as a nonvoting member
66 of the council. The Governor shall appoint to the council four
67 members representing employee organizations and four members
68 representing employer organizations. Each of these eight members



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69 shall represent industries that have registered apprenticeship
70 programs. The Governor shall also appoint two public members who
71 are knowledgeable about registered apprenticeship and
72 apprenticeable occupations, who are independent of any joint or
73 nonjoint organization ~~one of whom shall be recommended by joint~~
74 ~~organizations, and one of whom shall be recommended by nonjoint~~
75 ~~organizations~~. Members shall be appointed for 4-year staggered
76 terms. A vacancy shall be filled for the remainder of the
77 unexpired term.

78 Section 4. Subsection (4) is added to section 446.081,
79 Florida Statutes, to read:

80 446.081 Limitation.—

81 (4) Nothing in ss. 446.011-446.092 or the implementing
82 rules in these sections shall operate to invalidate any special
83 provision for veterans, minority persons, or women in the
84 standards, qualifications, or operation of the apprenticeship
85 program or in the apprenticeship agreement which is not
86 otherwise prohibited by law, executive order, or authorized
87 regulation.

88 Section 5. Section 446.091, Florida Statutes, is amended to
89 read:

90 446.091 On-the-job training program.—All provisions of ss.
91 446.011-446.092 relating to apprenticeship and
92 preapprenticeship, including, but not limited to, programs,
93 agreements, standards, administration, procedures, definitions,
94 expenditures, local committees, powers and duties, limitations,
95 grievances, and ratios of apprentices and job trainees to
96 journeyworkers ~~journeymen~~ on state, county, and municipal
97 contracts, shall be appropriately adapted and made applicable to



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98 a program of on-the-job training authorized under those
99 provisions for persons other than apprentices.

100 Section 6. Section 446.092, Florida Statutes, is amended to
101 read:

102 446.092 Criteria for apprenticeship occupations.—An
103 apprenticeable occupation is a skilled trade which possesses all
104 of the following characteristics:

105 (1) It is customarily learned in a practical way through a
106 structured, systematic program of on-the-job, supervised
107 training.

108 (2) It is clearly identified and commonly recognized
109 throughout an the industry, and may be associated with a
110 nationally recognized industry certification or recognized with
111 a positive view towards changing technology.

112 (3) It involves manual, mechanical, or technical skills and
113 knowledge which, in accordance with the industry standard for
114 the occupation, requires require a minimum of 2,000 hours of on-
115 the-job work and training, which hours are excluded from the
116 time spent at related instruction.

117 (4) It requires related instruction to supplement on-the-
118 job training. Such instruction may be given in a classroom,
119 through occupational or industrial courses, or through
120 correspondence courses of equivalent value, including electronic
121 media or other forms of self-study instruction approved by the
122 department.

123 ~~(5) It involves the development of skill sufficiently broad~~
124 ~~to be applicable in like occupations throughout an industry,~~
125 ~~rather than of restricted application to the products or~~
126 ~~services of any one company.~~



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127 ~~(6) It does not fall into any of the following categories:~~

128 ~~(a) Selling, retailing, or similar occupations in the~~
129 ~~distributive field.~~

130 ~~(b) Managerial occupations.~~

131 ~~(c) Professional and scientific vocations for which~~
132 ~~entrance requirements customarily require an academic degree.~~

133

134 ===== T I T L E A M E N D M E N T =====

135 And the title is amended as follows:

136 Delete line 2

137 and insert:

138 An act relating to education;