

By Senator Garcia

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1 A bill to be entitled
2 An act relating to preapprenticeship and
3 apprenticeship programs; creating s. 446.093, F.S.;
4 creating the Earn and Learn Grant Program within the
5 Department of Education; specifying the purpose of the
6 program; defining terms; providing department
7 responsibilities; providing requirements for
8 preapprenticeship and apprenticeship programs
9 receiving grant funds; establishing the Task Force on
10 Apprenticeship Expansion within the Department of
11 Economic Opportunity; specifying the goals of the task
12 force; providing for the composition of the task
13 force; providing meeting requirements for the task
14 force; providing that task force members serve without
15 compensation and may not be reimbursed for per diem or
16 travel expenses; requiring the department to provide
17 specified assistance to the task force; requiring the
18 task force to submit a report to the Governor and the
19 Legislature by a specified date; providing for the
20 termination of the task force; providing
21 appropriations; reordering and amending s. 446.021,
22 F.S.; conforming cross-references; amending ss.
23 446.011, 446.041, 446.052, 446.081, and 446.091, F.S.;
24 conforming cross-references; providing an effective
25 date.

26
27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. Section 446.093, Florida Statutes, is created to

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30 read:

31 446.093 Earn and Learn Grant Program.—The Earn and Learn
32 Grant Program is created within the department to assist school
33 districts, public postsecondary educational institutions, and
34 charter technical career centers in the development and
35 expansion of preapprenticeship and apprenticeship programs
36 relevant to targeted industries and to recruit, retain, and
37 graduate a diverse group of successful program participants who
38 are prepared to enter the workforce and contribute to their own
39 success and to the growth of the state's economy.

40 (1) DEFINITIONS.—As used in this section, the term:

41 (a) "Charter technical career center" has the same meaning
42 as in s. 1002.34(3).

43 (b) "Public postsecondary educational institution" is as
44 described in s. 1000.04(2).

45 (c) "School district" has the same meaning as in s.
46 595.402(5).

47 (d) "Targeted industry" means a corporate headquarters
48 business as defined in s. 288.106(2)(e) or a target industry
49 business as defined in s. 288.106(2)(q).

50 (2) DEPARTMENT RESPONSIBILITIES.—The department shall:

51 (a) Create a grant application process for school
52 districts, public postsecondary education institutions, and
53 charter technical career centers to establish or expand a
54 preapprenticeship or apprenticeship program.

55 (b) Provide minimum uniform preapprenticeship and
56 apprenticeship program standards for each skilled trade with
57 respect to participant admission, training goals and objectives,
58 curricula, success measures, and course articulation with

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59 skilled job openings in targeted industries.

60 (c) Provide minimum program criteria and standards for
61 grant applicants to receive funds under this section, including
62 determining a preapprenticeship or apprenticeship program's
63 relevancy to targeted industries, the likelihood of attracting a
64 diverse pool of program participants, and their ability to
65 provide instruction in transferable workforce readiness skills.

66 (d) Provide accountability requirements for
67 preapprenticeship and apprenticeship programs that receive funds
68 under this section.

69 (e) Create a formula for distribution of funds awarded
70 under this section.

71 (3) PREAPPRENTICESHIP AND APPRENTICESHIP PROGRAM
72 REQUIREMENTS.—A preapprenticeship or apprenticeship program
73 receiving funds under this section must:

74 (a) Provide courses of a technical nature which lead to an
75 industry certification or credential in a skilled trade relevant
76 to targeted industries.

77 (b) Provide instruction in transferable workforce readiness
78 skills.

79 (c) Specify how it intends to recruit, retain, and graduate
80 a diverse group of program participants, including women and
81 minorities who are underrepresented in target industries.

82 (d) Maintain an academic transcript for each student
83 enrolled in the program.

84 (e) Maintain the minimum standards and requirements
85 established by the department.

86 (f) Maintain a record of the education and employment
87 history of program graduates and submit a report of such

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88 findings to the department on an annual basis.

89 Section 2. (1) The Task Force on Apprenticeship Expansion
90 is created within the Department of Economic Opportunity.

91 (2) The goals of the task force are to:

92 (a) Address the shortage of individuals trained in skilled
93 trades relevant to targeted industries.

94 (b) Address imbalances in enrollment related to gender and
95 ethnicity.

96 (c) Address the course articulation between workforce needs
97 and middle school curricula; high school career and technical
98 education programs, including preapprenticeship programs;
99 apprenticeship programs; and postsecondary institution
100 curricula.

101 (d) Address the availability, quality, and mode of delivery
102 of information regarding career and technical education
103 opportunities, including preapprenticeship and apprenticeship
104 programs, to the general public, school districts, school
105 administrators, school guidance counselors, and students
106 enrolled in grades K-12 and their parents or guardians.

107 (e) Consider the appropriateness of moving the oversight of
108 preapprenticeship and apprenticeship programs from the
109 Department of Education to the Department of Economic
110 Opportunity.

111 (f) Consider the mode, manner, and amount of funding for
112 workforce training programs relevant to targeted industries,
113 including preapprenticeship and apprenticeship programs.

114 (g) Consider the feasibility of creating a limited income
115 tax credit available to taxpayers employing apprentices through
116 an apprenticeship program.

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117 (h) Consider the impact of changes to federal legislation
118 and executive orders regarding career and technical education
119 and how the state may best utilize such changes to enhance the
120 quality, breadth, and support of workforce training programs.

121 (3) The task force is composed of the following 15 members:

122 (a) A member of the House of Representatives, appointed by
123 the Speaker of the House of Representatives.

124 (b) A member of the Senate, appointed by the President of
125 the Senate.

126 (c) A member appointed by the Florida Chamber of Commerce.

127 (d) A member appointed by the National Federation of
128 Independent Business/Florida.

129 (e) A member appointed by the Florida AFL-CIO.

130 (f) A member appointed by the Florida Education
131 Association.

132 (g) A member appointed by United Faculty of Florida.

133 (h) A member appointed by the Florida High Tech Corridor
134 Council.

135 (i) A member appointed by the Associated General
136 Contractors of Greater Florida.

137 (j) A member appointed by the Commissioner of Education.

138 (k) A member appointed by the Association of Florida
139 Colleges.

140 (l) A member appointed by the Florida Association of
141 Postsecondary Schools and Colleges.

142 (m) A member appointed by the executive director of the
143 Department of Economic Opportunity.

144 (n) A member appointed by the Florida League of Cities.

145 (o) A member appointed by the Florida Association of

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146 Counties.

147 (4) The task force shall elect a chair from among its
148 members.

149 (5) (a) The task force shall meet as often as necessary to
150 fulfill its goals, but not fewer than three times.

151 (b) The first meeting of the task force must be held no
152 later than September 1, 2018.

153 (c) Task force meetings may be conducted by conference
154 call, teleconferencing, or similar technology.

155 (6) Task force members shall serve without compensation and
156 may not receive reimbursement for per diem or travel expenses.

157 (7) The Department of Economic Opportunity shall provide
158 such assistance as is reasonably necessary to assist the task
159 force in accomplishing its goals.

160 (8) The task force shall submit a report detailing its
161 activities and findings to the Governor, the President of the
162 Senate, and the Speaker of the House of Representatives by March
163 1, 2019.

164 (9) This section expires June 30, 2019.

165 Section 3. For the 2018-2019 fiscal year:

166 (1) The sum of \$50,000 in recurring funds is appropriated
167 from the General Revenue Fund to the Department of Education to
168 administer the Earn and Learn Grant Program pursuant to s.
169 446.093, Florida Statutes.

170 (2) The sum of \$6.7 million in recurring funds is
171 appropriated from the General Revenue Fund to the Department of
172 Education for the purpose of distributing funds to school
173 districts, public postsecondary educational institutions, and
174 charter technical career centers under the Earn and Learn Grant

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175 Program pursuant to s. 446.093, Florida Statutes.

176 (3) The sum of \$100,000 in nonrecurring funds is
177 appropriated from the State Economic Enhancement and Development
178 Trust Fund to the Department of Economic Opportunity for the
179 purpose of funding the Task Force on Apprenticeship Expansion as
180 created in this act.

181 Section 4. Section 446.021, Florida Statutes, is amended to
182 read:

183 446.021 Definitions of terms used in ss. 446.011-446.093
184 ~~ss. 446.011-446.092.~~—As used in ss. 446.011-446.093 ~~ss. 446.011-~~
185 ~~446.092~~, the term:

186 (8) ~~(1)~~ "Preapprentice" means any person 16 years of age or
187 over engaged in any course of instruction in the public school
188 system or elsewhere, which course is registered as a
189 preapprenticeship program with the department.

190 (1) ~~(2)~~ "Apprentice" means a person at least 16 years of age
191 who is engaged in learning a recognized skilled trade through
192 actual work experience under the supervision of journeymen
193 craftsmen, which training should be combined with properly
194 coordinated studies of related technical and supplementary
195 subjects, and who has entered into a written agreement, which
196 may be cited as an apprentice agreement, with a registered
197 apprenticeship sponsor who may be either an employer, an
198 association of employers, or a local joint apprenticeship
199 committee.

200 (11) ~~(3)~~ "Trainee" means a person at least 16 years of age
201 who is engaged in learning a specific skill, trade, or
202 occupation within a formalized, on-the-job training program.

203 (5) ~~(4)~~ "Journeyman" means a person working in an

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204 apprenticeable occupation who has successfully completed a
205 registered apprenticeship program or who has worked the number
206 of years required by established industry practices for the
207 particular trade or occupation.

208 (9)~~(5)~~ "Preapprenticeship program" means an organized
209 course of instruction in the public school system or elsewhere,
210 which course is designed to prepare a person 16 years of age or
211 older to become an apprentice and which course is approved by
212 and registered with the department and sponsored by a registered
213 apprenticeship program.

214 (2)~~(6)~~ "Apprenticeship program" means an organized course
215 of instruction, registered and approved by the department, which
216 course shall contain all terms and conditions for the
217 qualifications, recruitment, selection, employment, and training
218 of apprentices including such matters as the requirements for a
219 written apprenticeship agreement.

220 (7) "On-the-job training program" means a formalized system
221 of job processes which may be augmented by related instruction
222 that provides the experience and knowledge necessary to meet the
223 training objective of learning a specific skill, trade, or
224 occupation. The training program must be at least 6 months and
225 not more than 2 years in duration and must be registered with
226 the department.

227 (12)~~(8)~~ "Uniform minimum preapprenticeship standards" means
228 the minimum requirements established uniformly for each craft
229 under which a preapprenticeship program is administered and
230 includes standards of admission, training goals, training
231 objectives, curriculum outlines, objective standards to measure
232 successful completion of the preapprenticeship program, and the

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233 percentage of credit which may be given to preapprenticeship
234 graduates upon acceptance into the apprenticeship program.

235 (10)~~(9)~~ "Related instruction" means an organized and
236 systematic form of instruction designed to provide the
237 apprentice with knowledge of the theoretical subjects related to
238 a specific trade or occupation.

239 (3)~~(10)~~ "Cancellation" means the deregistration of an
240 apprenticeship program or the termination of an apprenticeship
241 agreement.

242 (6)~~(11)~~ "Jurisdiction" means the specific geographical area
243 for which a particular program is registered.

244 (4)~~(12)~~ "Department" means the Department of Education.

245 Section 5. Subsection (3) of section 446.011, Florida
246 Statutes, is amended to read:

247 446.011 Legislative intent regarding apprenticeship
248 training.—

249 (3) It is the further intent of ss. 446.011-446.093 ~~ss.~~
250 ~~446.011-446.092~~ that the department ensure quality training
251 through the adoption and enforcement of uniform minimum
252 standards and that the department promote, register, monitor,
253 and service apprenticeship and training programs and ensure that
254 the programs adhere to the standards.

255 Section 6. Subsections (1) and (12) of section 446.041,
256 Florida Statutes, are amended to read:

257 446.041 Apprenticeship program, duties of the department.—

258 The department shall:

259 (1) Administer ss. 446.011-446.093 ~~ss. 446.011-446.092~~.

260 (12) Adopt rules required to administer ss. 446.011-446.093
261 ~~ss. 446.011-446.092~~.

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262 Section 7. Subsection (2) of section 446.052, Florida
263 Statutes, is amended to read:

264 446.052 Preapprenticeship program.—

265 (2) The department, under regulations established by the
266 State Board of Education, may administer the provisions of ss.
267 446.011-446.093 ~~ss. 446.011-446.092~~ which relate to
268 preapprenticeship programs in cooperation with district school
269 boards and community college district boards of trustees.
270 District school boards, community college district boards of
271 trustees, and registered program sponsors shall cooperate in
272 developing and establishing programs that include career
273 instruction and general education courses required to obtain a
274 high school diploma.

275 Section 8. Subsections (1) and (2) of section 446.081,
276 Florida Statutes, are amended to read:

277 446.081 Limitation.—

278 (1) Nothing in ss. 446.011-446.093 ~~ss. 446.011-446.092~~ or
279 in any apprentice agreement approved under those sections shall
280 operate to invalidate any apprenticeship provision in any
281 collective agreement between employers and employees setting up
282 higher apprenticeship standards.

283 (2) A person may not ~~No person shall~~ institute any action
284 for the enforcement of any apprentice agreement, or for damages
285 for the breach of any apprentice agreement, made under ss.
286 446.011-446.093 ~~ss. 446.011-446.092~~, unless he or she has first
287 exhausted all administrative remedies provided by this section.

288 Section 9. Section 446.091, Florida Statutes, is amended to
289 read:

290 446.091 On-the-job training program.—All provisions of ss.

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291 446.011-446.093 ~~ss. 446.011-446.092~~ relating to apprenticeship
292 and preapprenticeship, including, but not limited to, programs,
293 agreements, standards, administration, procedures, definitions,
294 expenditures, local committees, powers and duties, limitations,
295 grievances, and ratios of apprentices and job trainees to
296 journeymen on state, county, and municipal contracts, shall be
297 appropriately adapted and made applicable to a program of on-
298 the-job training authorized under those provisions for persons
299 other than apprentices.

300 Section 10. This act shall take effect July 1, 2018.