

HB 711

2018

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; providing definitions; providing department  
7           responsibilities; providing requirements for  
8           preapprenticeship and apprenticeship programs  
9           receiving grant funds; creating s. 446.094, F.S.;  
10          establishing the Task Force on Apprenticeship  
11          Expansion within the Department of Economic  
12          Opportunity; specifying the goals of the task force;  
13          providing for the composition and meetings of the task  
14          force; requiring the department to provide specified  
15          assistance to the task force; requiring the task force  
16          to submit a report to the Governor and Legislature by  
17          a specified date; providing for termination of the  
18          task force; providing appropriations; amending ss.  
19          446.011, 446.021, 446.041, 446.052, 446.081, and  
20          446.091, F.S.; conforming cross-references; providing  
21          an effective date.

22  
23   Be It Enacted by the Legislature of the State of Florida:

24  
25          Section 1.   Section 446.093, Florida Statutes, is created

26 to read:

27 446.093 Earn and Learn Grant Program.—The Earn and Learn  
28 Grant Program is created within the department to assist school  
29 districts, public postsecondary educational institutions, and  
30 charter technical career centers in the development and  
31 expansion of preapprenticeship and apprenticeship programs  
32 relevant to targeted industries and to recruit, retain, and  
33 graduate a diverse group of successful program participants who  
34 are prepared to enter the workforce and contribute to their  
35 success and the growth of the state's economy.

36 (1) DEFINITIONS.—As used in this section and s. 446.094,  
37 the term:

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

40 (b) "Public postsecondary educational institution" has the  
41 same meaning as in s. 1000.04(2).

42 (c) "School district" has the same meaning as in s.  
43 595.402(5).

44 (d) "Targeted industry" means a corporate headquarters  
45 business as defined in s. 288.106(2)(e) or a target industry  
46 business as defined in s. 288.106(2)(q).

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

48 (a) Create a grant application process for school  
49 districts, public postsecondary education institutions, and  
50 charter technical career centers to establish or expand a

51 preapprenticeship or apprenticeship program.

52 (b) Provide minimum uniform preapprenticeship and  
53 apprenticeship program standards for each skilled trade with  
54 respect to participant admission, training goals and objectives,  
55 curriculums, success measures, and course articulation with  
56 skilled job openings in targeted industries.

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

63 (d) Provide accountability requirements for  
64 preapprenticeship and apprenticeship programs that receive funds  
65 under this section.

66 (e) Create a formula for distribution of funds awarded  
67 under this section.

68 (3) PREAPPRENTICESHIP AND APPRENTICESHIP PROGRAM  
69 REQUIREMENTS.—A preapprenticeship or apprenticeship program  
70 receiving funds under this section must:

71 (a) Provide courses of a technical nature that lead to an  
72 industry certification or credential in a skilled trade relevant  
73 to targeted industries.

74 (b) Provide instruction in transferable workforce  
75 readiness skills.

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

80 (d) Maintain an academic transcript for each student  
81 enrolled in the program.

82 (e) Maintain the minimum standards and requirements  
83 established by the department.

84 (f) Maintain a record of the education and employment  
85 history of program graduates and submit a report of such  
86 findings to the department on an annual basis.

87 Section 2. Section 446.094, Florida Statutes, is created  
88 to read:

89 446.094 Task Force on Apprenticeship Expansion.—

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

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

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

95 (b) Address the gender and ethnic imbalance of individuals  
96 enrolled in preapprenticeship and apprenticeship programs.

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

101 (d) Address the availability, quality, and mode of  
102 delivery 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  
108 of 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.

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  
122 members:

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

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

126 | the Senate.

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

128 |       (d) A member appointed by the Florida National Federation

129 | of Independent Business.

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

131 |       (f) A member appointed by the Florida Education

132 | Association.

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

134 |       (h) A member appointed by the Florida High Tech Corridor

135 | Council.

136 |       (i) A member appointed by the Associated General

137 | Contractors of Greater Florida.

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

139 |       (k) A member appointed by the Association of Florida

140 | Colleges.

141 |       (l) A member appointed by the Florida Association of

142 | Postsecondary Schools and Colleges.

143 |       (m) A member appointed by the executive director of the

144 | Department of Economic Opportunity.

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

146 |       (o) A member appointed by the Florida Association of

147 | Counties.

148 |       (4) The task force shall elect a chair from among its

149 | members.

150 |       (5) (a) The task force shall meet as often as necessary to

151 fulfill its goals, but not fewer than three times.

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

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

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

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

162 (8) The task force shall submit a report detailing its  
163 activities and findings to the Governor, the President of the  
164 Senate, and the Speaker of the House of Representatives by March  
165 1, 2019.

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

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

168 (1) The sum of \$50,000 in recurring funds is appropriated  
169 from the General Revenue Fund to the Department of Education to  
170 administer the Earn and Learn Grant Program pursuant to s.  
171 446.093, Florida Statutes.

172 (2) The sum of \$6.7 million in recurring funds is  
173 appropriated from the General Revenue Fund to the Department of  
174 Education for the purpose of distributing funds to school  
175 districts, public postsecondary educational institutions, and

176 | charter technical career centers under the Earn and Learn Grant  
 177 | Program pursuant to s. 446.093, Florida Statutes.

178 | (3) The sum of \$100,000 in nonrecurring funds is  
 179 | appropriated from the State Economic Enhancement and Development  
 180 | Trust Fund to the Department of Economic Opportunity for the  
 181 | purposes of funding the Task Force on Apprenticeship Expansion  
 182 | pursuant to s. 446.094, Florida Statutes.

183 | Section 4. Subsection (3) of section 446.011, Florida  
 184 | Statutes, is amended to read:

185 | 446.011 Legislative intent regarding apprenticeship  
 186 | training.—

187 | (3) It is the further intent of ss. 446.011-446.094 ~~ss.~~  
 188 | ~~446.011-446.092~~ that the department ensure quality training  
 189 | through the adoption and enforcement of uniform minimum  
 190 | standards and that the department promote, register, monitor,  
 191 | and service apprenticeship and training programs and ensure that  
 192 | the programs adhere to the standards.

193 | Section 5. Section 446.021, Florida Statutes, is amended  
 194 | to read:

195 | 446.021 Definitions of terms used in ss. 446.011-446.094  
 196 | ~~ss. 446.011-446.092.~~—As used in ss. 446.011-446.094 ~~ss. 446.011-~~  
 197 | ~~446.092~~, the term:

198 | (1) "Preapprentice" means any person 16 years of age or  
 199 | over engaged in any course of instruction in the public school  
 200 | system or elsewhere, which course is registered as a



201 preapprenticeship program with the department.

202 (2) "Apprentice" means a person at least 16 years of age  
203 who is engaged in learning a recognized skilled trade through  
204 actual work experience under the supervision of journeymen  
205 craftsmen, which training should be combined with properly  
206 coordinated studies of related technical and supplementary  
207 subjects, and who has entered into a written agreement, which  
208 may be cited as an apprentice agreement, with a registered  
209 apprenticeship sponsor who may be either an employer, an  
210 association of employers, or a local joint apprenticeship  
211 committee.

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

215 (4) "Journeyman" means a person working in an  
216 apprenticeable occupation who has successfully completed a  
217 registered apprenticeship program or who has worked the number  
218 of years required by established industry practices for the  
219 particular trade or occupation.

220 (5) "Preapprenticeship program" means an organized course  
221 of instruction in the public school system or elsewhere, which  
222 course is designed to prepare a person 16 years of age or older  
223 to become an apprentice and which course is approved by and  
224 registered with the department and sponsored by a registered  
225 apprenticeship program.

226 (6) "Apprenticeship program" means an organized course of  
227 instruction, registered and approved by the department, which  
228 course shall contain all terms and conditions for the  
229 qualifications, recruitment, selection, employment, and training  
230 of apprentices including such matters as the requirements for a  
231 written apprenticeship agreement.

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

239 (8) "Uniform minimum preapprenticeship standards" means  
240 the minimum requirements established uniformly for each craft  
241 under which a preapprenticeship program is administered and  
242 includes standards of admission, training goals, training  
243 objectives, curriculum outlines, objective standards to measure  
244 successful completion of the preapprenticeship program, and the  
245 percentage of credit which may be given to preapprenticeship  
246 graduates upon acceptance into the apprenticeship program.

247 (9) "Related instruction" means an organized and  
248 systematic form of instruction designed to provide the  
249 apprentice with knowledge of the theoretical subjects related to  
250 a specific trade or occupation.

251 (10) "Cancellation" means the deregistration of an  
 252 apprenticeship program or the termination of an apprenticeship  
 253 agreement.

254 (11) "Jurisdiction" means the specific geographical area  
 255 for which a particular program is registered.

256 (12) "Department" means the Department of Education.

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

259 446.041 Apprenticeship program, duties of the department.—

260 The department shall:

261 (1) Administer ss. 446.011-446.094 ~~ss. 446.011-446.092~~.

262 (12) Adopt rules required to administer ss. 446.011-  
 263 446.094 ~~ss. 446.011-446.092~~.

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

266 446.052 Preapprenticeship program.—

267 (2) The department, under regulations established by the  
 268 State Board of Education, may administer the provisions of ss.

269 446.011-446.094 ~~ss. 446.011-446.092~~ which relate to

270 preapprenticeship programs in cooperation with district school  
 271 boards and community college district boards of trustees.

272 District school boards, community college district boards of  
 273 trustees, and registered program sponsors shall cooperate in

274 developing and establishing programs that include career

275 instruction and general education courses required to obtain a

276 high school diploma.

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

279 446.081 Limitation.—

280 (1) Nothing in ss. 446.011-446.094 ~~ss. 446.011-446.092~~ or  
 281 in any apprentice agreement approved under those sections shall  
 282 operate to invalidate any apprenticeship provision in any  
 283 collective agreement between employers and employees setting up  
 284 higher apprenticeship standards.

285 (2) No person shall institute any action for the  
 286 enforcement of any apprentice agreement, or for damages for the  
 287 breach of any apprentice agreement, made under ss. 446.011-  
 288 446.094 ~~ss. 446.011-446.092~~, unless he or she has first  
 289 exhausted all administrative remedies provided by this section.

290 Section 9. Section 446.091, Florida Statutes, is amended  
 291 to read:

292 446.091 On-the-job training program.—All provisions of ss.  
 293 446.011-446.094 ~~ss. 446.011-446.092~~ relating to apprenticeship  
 294 and preapprenticeship, including, but not limited to, programs,  
 295 agreements, standards, administration, procedures, definitions,  
 296 expenditures, local committees, powers and duties, limitations,  
 297 grievances, and ratios of apprentices and job trainees to  
 298 journeymen on state, county, and municipal contracts, shall be  
 299 appropriately adapted and made applicable to a program of on-  
 300 the-job training authorized under those provisions for persons

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301 | other than apprentices.

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