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## A BILL FOR AN ACT

RELATING TO APPRENTICESHIPS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 372, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§372- Chapter inoperative, when. If any provision of  
5 this chapter jeopardizes the receipt by the State of any federal  
6 grant-in-aid or other federal allotment under this chapter, the  
7 provision, insofar as the fund is jeopardized, shall be deemed  
8 to be inoperative."

9           SECTION 2. Section 26-20, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§26-20 Department of labor and industrial relations.** The  
12 department of labor and industrial relations shall be headed by  
13 a single executive to be known as the director of labor and  
14 industrial relations.

15           The department shall administer programs designed to  
16 increase the economic security, physical and economic well-  
17 being, and productivity of workers, and to achieve good labor-  
18 management relations, including the administration of workers'



1 compensation, employment security, apprenticeship training, wage  
2 and hour, and industrial relations laws. The department shall  
3 also have the function of developing, preparing, and  
4 disseminating information on employment, unemployment, and  
5 general labor market conditions.

6 The labor and industrial relations appeals board provided  
7 for in chapters 371 and 386 is placed within the department of  
8 labor and industrial relations for administrative purposes. The  
9 respective functions, duties, and powers, subject to the  
10 administrative control of the director of labor and industrial  
11 relations, and the composition of the board shall be as  
12 heretofore provided by law.

13 There shall be within the department of labor and  
14 industrial relations a board to be known as the Hawaii labor  
15 relations board as provided for in section 89-5, which shall  
16 exercise powers and duties in accordance with chapters 89, 377,  
17 and 396. The director shall have general administrative  
18 supervision over the board, but shall not have the power to  
19 supervise or control the board in the exercise of its powers or  
20 duties.

21 The functions of mediation heretofore exercised by the  
22 commission of labor and industrial relations existing



1 immediately prior to November 25, 1959, as provided in section  
2 371-10, shall be exercised by the governor or the governor's  
3 designated agent.

4 The director [~~may~~] shall establish within the department of  
5 labor and industrial relations a committee to be known as the  
6 apprenticeship council [~~which shall sit in an advisory capacity~~  
7 ~~to the director of labor and industrial relations on matters~~  
8 ~~within the jurisdiction of the department of labor and~~  
9 ~~industrial relations relating to apprenticeship programs.~~] to  
10 promote and approve apprenticeship programs consistent with the  
11 standards for apprenticeship agreements. The membership and  
12 organization of the council shall be determined by the  
13 director."

14 SECTION 3. Section 372-3, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§372-3 Standards for agreements.** "Standards for  
17 apprenticeship agreements" are as follows:

18 (1) A statement of the trade or craft to be taught and the  
19 required months or hours for completion of  
20 apprenticeship which shall be not less than twelve  
21 months or two thousand hours of reasonably continuous  
22 employment;



- 1           (2) A statement of the processes in the trade or craft  
2           divisions in which the apprentice is to be taught and  
3           the approximate amount of time to be spent at each  
4           process;
- 5           (3) A statement of the number of hours to be spent in  
6           related instruction which shall not be less than one  
7           hundred and forty-four hours per year; provided that  
8           the department of labor and industrial relations may,  
9           in the best interest of apprenticeship, reduce the  
10          hours of related instruction;
- 11          (4) A statement that apprentices shall be not less than  
12          sixteen years of age;
- 13          (5) A statement of the progressively increasing scale of  
14          wages to be paid to the apprentice;
- 15          (6) Provision for a period of probation during which the  
16          director of labor and industrial relations shall be  
17          directed to terminate an apprenticeship agreement at  
18          the request in writing of any party thereto;
- 19          (7) Provision that after the probationary period the  
20          director may terminate an apprenticeship agreement  
21          upon agreement of the parties thereto;



- 1           (8) Provision that the services of the department may be  
2           utilized for consultation regarding the settlement of  
3           differences arising out of the apprenticeship  
4           agreement where the differences cannot be adjusted  
5           locally or in accordance with the established trade  
6           procedure;
- 7           (9) Provision to specify the ratio of apprentice to  
8           journey worker;
- 9           (10) Provision that if an employer is unable to fulfill the  
10          employer's obligation under the apprenticeship  
11          agreement, the employer may transfer the obligation to  
12          another employer;
- 13          (11) Assurance of qualified training personnel, adequate  
14          supervision on the job, and the requisite specialty  
15          licenses relevant to the trade or craft;
- 16          (12) In the instance of parallel programs, assurance of  
17          compliance with the "equal to or better than"  
18          requirement; and
- 19          ~~(11)~~ (13) Such additional standards as may be prescribed  
20          in accordance with this chapter.

21           An apprentice who, prior to entering into an agreement, has  
22          had training or experience or both in the trade or craft in



1 which the apprentice is employed as an apprentice may be granted  
2 full or partial credit for the training or experience on the  
3 recommendation of the employer or the joint apprenticeship  
4 committee with the approval of the director."

5 SECTION 4. Section 372-4, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "**§372-4 Apprenticeship council.** The director of labor and  
8 industrial relations [~~may~~] shall establish within the department  
9 of labor and industrial relations a committee to be known as the  
10 apprenticeship council [~~which shall sit in an advisory capacity~~  
11 ~~to the director on matters within the jurisdiction of the~~  
12 ~~department relating to apprenticeship programs.~~] to promote and  
13 approve apprenticeship programs consistent with the standards  
14 for agreements. The membership and organization of the council  
15 shall be determined by the director. The members of the council  
16 shall be appointed and removed at the pleasure of the director.  
17 The director or the director's subordinate officer in charge of  
18 the apprenticeship program shall act as secretary of the  
19 council."

20 SECTION 5. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

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1 SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Apprenticeships; Standards for Apprenticeship Agreements;  
Apprenticeship Council

**Description:**

Amends the standards for apprenticeship agreements to include assurances of qualified training personnel, adequate job supervision, and the requisite licenses. Requires the director of department of labor and industrial relations to establish an apprenticeship council whose purpose is to promote and approve apprenticeship programs.

