

CHAPTER 38
HB 261 - FINAL VERSION

2021 SESSION

21-0188
04/11

HOUSE BILL **261**

AN ACT relative to apprenticeship programs in trade and industry.

SPONSORS: Rep. Seaworth, Merr. 20

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill amends the statute governing apprenticeship programs and repeals the provisions governing apprenticeship agreements.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to apprenticeship programs in trade and industry.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 38:1 Apprenticeship Programs in Trade and Industry; Purposes. Amend RSA 278:1 to read as
2 follows:

3 278:1 Purposes. The purposes of this chapter are:

4 I. To encourage employers, associations of employers and organizations of employees to
5 voluntarily establish apprenticeship programs and the making of apprenticeship agreements;

6 II. To create opportunities for young people to obtain employment and adequate training in
7 trades and industry with parallel instructions in related and supplementary education under
8 conditions that will equip them for profitable employment and citizenship;

9 III. To cooperate with the promotion and development of apprenticeship programs and
10 systems in other states and with the federal committee on apprenticeship appointed under Public
11 Law No. 308-75th U.S. Congress (Fitzgerald Act);

12 IV. To ~~[recommend to the Office of Apprenticeship, United States Department of Labor~~
13 ~~(OA)]~~ **encourage** the registration and approval of apprenticeship programs and apprenticeship
14 agreements ~~[and the issuance of state certificates of completion of apprenticeship]~~ **by the United**
15 **States Department of Labor, Office of Apprenticeship (OA).**

16 38:2 Apprenticeship Programs in Trade and Industry; Duties. Amend RSA 278:3 to read as
17 follows:

18 278:3 Duties. The council shall meet ~~[quarterly and]~~ as often as may be necessary, and in
19 cooperation with the OA and state departments of education and labor, ~~[establish, maintain, and~~
20 ~~review and recommend]~~ **encourage** approval of consistent standards for on-the-job training
21 programs to be coordinated with related course instruction and included in apprenticeship programs
22 and agreements established in trade or industry by employee organizations, joint employee-employer
23 committees, employers or employer groups; and may request the services of any state or federal
24 agency or department which may be of assistance in carrying out the purposes of this chapter. In
25 addition to the foregoing, the council shall:

26 I. Encourage and promote the development of apprenticeship programs and the making of
27 apprenticeship agreements;

28 II. Assist the OA in bringing about the settlement of differences arising out of an
29 apprenticeship agreement when such differences cannot be adjusted locally or in accordance with
30 established trade procedure;

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1 III. ~~[Supervise the execution of agreements and maintenance of standards;~~

2 ~~IV.]~~ Recommend to the OA the registration of apprenticeship programs and agreements
3 which provide equal opportunity for training and employment without regard to race, color, creed or
4 national origin and which incorporate standards consistent with those already established and
5 approved by the council and the OA, or terminate or cancel the registration of apprenticeship
6 programs and agreements when said programs or agreements fail to meet or maintain said
7 registration qualifications;

8 ~~[V. Issue certificates of completion of apprenticeship as shall be authorized by the council;~~

9 ~~VI. Keep a record of apprenticeship programs and apprentice agreements and their~~
10 ~~disposition;~~

11 ~~VII.]~~ **IV.** Cooperate with the state department of education and the local school authorities
12 in the organization and establishment of classes of related and supplemental instruction for
13 apprentices employed under approved agreements;

14 ~~[VIII.]~~ **V.** Render such assistance and submit such information and data as may be
15 requested by employers, employees and joint apprenticeship committees engaged in the formulation
16 and operation of programs of apprenticeship, particularly in regard to work schedules, wages,
17 conditions of employment, apprenticeship records and number of apprentices; and

18 ~~[IX.]~~ **VI.** Review and assist the OA in the adoption of rules and regulations to insure
19 nondiscrimination in all phases of apprenticeship and employment during apprenticeship.

20 38:3 Apprenticeship Programs in Trade and Industry; Related and Supplemental Instruction;
21 Committees. Amend RSA 278:6 and RSA 278:7 to read as follows:

22 278:6 Related and Supplemental Instruction. Related and supplemental instruction for
23 apprentices, coordination of instruction with work experiences, and the selection of teachers and
24 coordinators for such instruction shall be the responsibility of state and local boards of education.
25 The state department of education shall be responsible and make provision subject to the
26 department's decision on the allotment of its funds for related and supplementary instruction for
27 apprentices as may be employed under apprenticeship programs registered and approved by the OA
28 ~~[and the council].~~

29 278:7 Local, Regional and State Joint Apprenticeship Committees. Local and state joint
30 apprenticeship committees may be approved, in any trade or group of trades, in cities, regions of the
31 state or trade areas, by the OA ~~[and the council]~~, whenever the apprentice training needs of such
32 trade or group of trades or such regions justify such establishment. Such local, regional or state joint
33 apprenticeship committees shall be composed of an equal number of employer and employee
34 representatives selected by the respective local or state employer and employee organizations in such
35 trade or group of trades; also such advisory members representing local boards or other agencies as
36 may be deemed advisable. In a trade or group of trades in which there is no bona fide employer or
37 employee organization, a joint committee may be composed of persons known to represent the

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1 interests of employers and of employees respectively, or a state joint apprenticeship committee may
2 be approved as, or the council may act itself as, the joint committee in such trade or group of trades.
3 Subject to the review of the OA ~~[and the council]~~, and in accordance with the standards established
4 by the ~~[Office of Apprenticeship and the council]~~ **OA**, such committees may devise standards for
5 apprenticeship agreements and give such aid as may be necessary in their operation, in their
6 respective trades and localities.

7 38:4 Repeal. The following are repealed:

8 I. RSA 278:8, relative to minimum standards for apprenticeship agreements.

9 II. RSA 278:9, relative to the definition of apprenticeship agreement.

38:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 17, 2021

Effective Date: July 16, 2021