

Section-by-Section Summary: H.452

“An act relating to expanding apprenticeship and other workforce opportunities”

This bill amends 21 V.S.A. chapter 13 to update the statutory framework governing apprenticeships in this State and harmonize current practice with law:

Sec. 1 – 21 V.S.A. Chapter 13

21 V.S.A. § 1111 - Definitions

- adds definitions that govern the chapter.

21 V.S.A. § 1112 – State Apprenticeship Agency

- specifies that the Department of Labor is the federally-designated State Apprenticeship Agency responsible for overseeing apprenticeships in Vermont

21 V.S.A. § 1113 – Vermont Registered Apprenticeship Program

- Governs the administration; operation; powers and duties; and the strategic planning and reporting requirements for the Department of Labor when operating as/through the Vermont Registered Apprenticeship Program (VRAP)
- Requires a 5-year strategic plan from the Department as well as an annual report to the General Assembly regarding apprenticeship program information and demographics

21 V.S.A. § 1114 – Vermont Apprenticeship Advisory Board

- Specifies the membership and duties of the Board, created to advise the Department, sponsors, employers, and related-instruction providers and to promote the development and strengthening of apprenticeship programs.
- This Board will operate in a similar manner to the current Apprenticeship Council with updated membership requirements and clear advisory duties.

21 V.S.A. § 1115 –Program Registration and Operation

- Governs the process, eligibility standards, and procedures for a sponsor to create and register an apprenticeship program
- Sets standards for initial approval of a program by the Department and ongoing review every five years
- Address union participation in program review and approval; issuance of approval certificates; notice and application by national programs; and standards and procedures for program operation relating to probationary employment, changes in status, and changes to a program.

21 V.S.A. § 1116 – Ratios

- Preserves standard ratio of 1:1
- Allows increase to 1:2 after 2,000 hours of training

- Can request approval to a further increase to ratio if Department determines the increase would ensure safety and quality of instruction
- Allows time-limited higher ratio in period of emergency

21 V.S.A. § 1117 – Standards of Apprenticeship

- Specifies the minimum standards a sponsor must meet for a program to be approved, including standards for term and modality; work process schedule; related technical instruction requirements; wage schedule and benefits; evaluation; ratios; probationary periods; advanced standing; credentials; cancelation; EEOC compliance; completion, etc.

21 V.S.A. § 1118 –Apprenticeship Program Minimum Enrollment; Evaluation

- (a) – Minimum number of apprentices. Generally requires at least one apprentice to be registered
- (b) – Evaluation - provides for 5-year review by Department based on performance metrics

21 V.S.A. § 1119 –Apprentices Registered; Agreement

- (a) - Requires individual registration of each apprentice
- (b) – Registration complete upon signed, completed, and approved agreement
- (c) – Specifies all information and provisions that must be included in an apprenticeship agreement
- (d) – Agreements cannot be modified except in writing

21 V.S.A. § 1120 – Deregistration of a Registered Apprenticeship Program

- (a)-(b) – governs process for voluntary deregistration of a program
- (c) – governs process and standards for deregistration of a program by VRAP upon reasonable cause
- (d) – allows for reinstatement of deregistered program upon approval by VRAP

21 V.S.A. § 1121 – Limitations

- Chapter doesn't change at-will employment, collective bargaining agreements, etc.

21 V.S.A. § 1122 – Complaints

- Governs the process and standards for charging and resolving complaints

21 V.S.A. § 1123 – Pre-Apprenticeship Programs

- Defines and allows for the creation and registration of pre-apprenticeship programs and establishes standards and the minimum requirements for approval by the Department

21 V.S.A. § 1124 – Youth Apprenticeship Programs

- Defines and allows for the creation and registration of youth apprenticeship programs and establishes standards and the minimum requirements for approval by the Department

21 V.S.A. § 1125 – Career Pathway Alignment with Apprenticeship Programs

- Directs VRAP to continue its work with other stakeholders to develop standards and processes for ensuring alignment between career pathways and apprenticeship programs

Sec. 2 – Report

- Requires a 1/15/2024 report - by the Commissioner of Labor to work with the Vermont Office of Racial Equity to examine ways in which to better incorporate necessary language to promote equity and diversity in apprenticeship programs, including the expansion of underrepresented communities in apprenticeship programs.

Sec. 3 – Effective Date (July 1, 2023)