

1 Sec. X. 21 V.S.A. chapter 13 is amended to read:

2 Chapter 13: Apprenticeship

3 §§ 1101–1105. [Repealed.]

4 § 1111. DEFINITIONS

5 As used in this chapter:

6 (1) “Accessibility” means the design, construction, development, and
7 maintenance of facilities, information and communication technology,
8 programs, and services so that all people, including people with disabilities,
9 can fully and independently use them. “Accessibility” includes the provision
10 of accommodations and modifications to ensure equal access to employment
11 and participation in activities for people with disabilities, the reduction or
12 elimination of physical and attitudinal barriers to equitable opportunities, a
13 commitment to ensuring that people with disabilities can independently access
14 every outward-facing and internal activity or electronic space, and the pursuit
15 of best practices such as universal design.

16 (2) “Advanced standing” means a process for reviewing and granting
17 credit for prior related work experience or related technical instruction for an
18 incoming apprentice or career seeker that allows the individual to accelerate
19 the completion of the registered apprenticeship program.

20 (3) “Apprentice” means an individual who is:

21 (A) 16 years of age or older, except when a higher minimum age
22 standard is otherwise fixed by law;

1 (B) employed to learn an apprenticeable occupation under the
2 standards of apprenticeship established under section X (standards of
3 apprenticeship) of this title; and

4 (C) registered with the Department.

5 (4) “Apprenticeable occupation” means an occupation approved by the
6 federal Office of Apprenticeship or by the Department as an occupation that:

7 (A) is specified, identified, and commonly recognized throughout an
8 industry;

9 (B) involves skills that are customarily learned in a practical way
10 through a structured, systematic program of on-the-job supervised learning;

11 (C) involves the progressive attainment of manual, mechanical, or
12 technical skills and knowledge that, in accordance with the industry standard
13 for the occupation, would require the completion of a minimum of 2,000 hours
14 or one-year of on-the-job learning to attain; and

15 (D) requires related technical instruction to supplement the on-the-
16 job learning.

17 (5) “Apprenticeship agreement” means a written agreement, on forms
18 approved by the Department under section X (registered apprentices) of this
19 title, between an apprentice and either the apprentice’s program sponsor or an
20 apprenticeship committee acting as agent for the program sponsor, that
21 contains the terms and conditions of the employment and training of the
22 apprentice.

1 (6) “Apprenticeship program” or “local apprenticeship training
2 program” means a program registered with the Department or the federal
3 Office of Apprenticeship that includes a written plan containing all terms and
4 conditions for the qualification, recruitment, selection, employment, and
5 training of apprentices, as minimally required under 29 CFR parts 29 and 30.

6 (7) “Certificate of completion” means a document issued by the
7 Department that certifies that the named apprentice has met all the
8 requirements set forth in an apprenticeship program.

9 (8) “Certificate of registration” means a document issued by the
10 Department that certifies that the named sponsor’s apprenticeship program
11 meets the requirements for registration under section x (standards of
12 apprenticeship) of this title and identifies the registration status as either
13 provisional or permanent.

14 (9) “Competency” means the attainment of knowledge, skills, and
15 abilities in a subject area, as specified by an occupational skill standard and
16 demonstrated by an appropriate written or hands-on proficiency measurement.

17 (10) “Commissioner” means the Commissioner of the Vermont
18 Department of Labor.

19 (11) “Department” means the Vermont Department of Labor.

20 (12) “Director” or “State Director” means the director of the Vermont
21 Registered Apprenticeship Program.

1 (13) “Diversity” means the practice of including the many communities,
2 identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of
3 Vermonters, including underserved communities.

4 (14) “Equity” means the consistent and systemic fair, just, and impartial
5 treatment of all individuals, including individuals who belong to underserved
6 communities that have been denied such treatment.

7 (15) “Interim credential” means a credential issued by the Department,
8 upon request of a sponsor, that certifies specific competency attainment by an
9 apprentice.

10 (16) “Inclusion” means the recognition, appreciation, and use of the
11 talents and skills of employees of all backgrounds.

12 (17) “Interim credential” means a credential issued by the Department,
13 upon request of a sponsor, that certifies specific competency attainment by an
14 apprentice.

15 (18) “Journey-worker” means a worker who has attained a level of skill,
16 abilities, and competencies recognized within an industry as having mastered
17 the skills and competencies required for the occupation. The term may also
18 refer to a mentor, technician, specialist, or other skilled worker who has
19 documented proficient skills and knowledge of an occupation, either through
20 formal apprenticeship or through practical on-the-job experience and formal
21 training, or to describe any person who has achieved recognition in their
22 profession as a “master.”

1 (19) “Mentor” or “supervisor” means a journey-worker who assists in a
2 registered apprenticeship program and who works with or oversees the work of
3 an apprentice, assigns tasks, reviews performance, and is generally someone
4 who facilitates personal and professional growth in the apprentice by sharing
5 the knowledge they have learned through years of experience on the job.

6 (20) “National Guideline Standards” means a template of high-quality
7 apprenticeship program standards submitted by a labor union, trade or industry
8 association, employer, workforce intermediary, education provider, or other
9 organizations with national scope, which standards may be certified by the
10 federal Office of Apprenticeship.

11 (21) “National Program Standards of Apprenticeship” or “National
12 Program Standards” (NPS) are programs that are registered by the federal
13 Office of Apprenticeship on a national basis and that consist of occupational
14 standards that any Vermont employer may sign on to or under which any
15 individual may be apprenticed.

16 (22) “Nontraditional apprenticeship population” means a group of
17 individuals, such as individuals from the same gender, race, or ethnicity, the
18 members of which comprise fewer than 25 percent of the program participants
19 in an apprenticeable occupation.

20 (23) “Nontraditional apprenticeship industry or occupation” refers to an
21 industry sector or occupation that represents fewer than 10 percent of
22 apprenticeable occupations or the programs under the national apprenticeship
23 system.

1 (24) “Office of Apprenticeship” means the part of the U. S. Department
2 of Labor responsible for the National Apprenticeship System and the
3 implementing regulations.

4 (25) “Pre-apprentice” means a participant in a registered pre-
5 apprenticeship program.

6 (26) “Pre-apprenticeship program” means a training model or program
7 that prepares individuals for acceptance into an apprenticeship program and
8 that is registered by the Department or, as applicable, federal Office of
9 Apprenticeship.

10 (27) “Provisional registration” or “provisional approval” means a
11 temporary approval status granted to newly registered programs that lasts one
12 year and is followed by an evaluation to determine whether it will:

13 (A) qualify for permanent recognition;

14 (B) maintain provisional status until more information is available to
15 make a complete program assessment; or

16 (C) commence the process for deregistration.

17 (28) “Quality assurance assessment” means a comprehensive review
18 conducted by the Department regarding all aspects of an apprenticeship
19 program's performance, including determining whether:

20 (A) apprentices are receiving on-the-job training consistent with the
21 schedule outlined in the registered standards for the apprenticeship program;

22 (B) scheduled wage increases are consistent with the registered
23 standards for the apprenticeship program;

1 (C) related technical instruction through the appropriate curriculum
2 and delivery systems is compliant with any relevant federal and State
3 standards; and

4 (D) the Department is receiving notification of all new apprentices in
5 a registered apprenticeship program, apprentices who leave a registered
6 apprenticeship program, and apprentices who complete the registered
7 apprenticeship program within 45 business days of those changes.

8 (29) “Registration agency” means the Vermont Department of Labor
9 acting as the designated State Apprenticeship Agency, which may also be
10 referred to as the “Vermont Registered Apprenticeship Program.”

11 (30) “Related technical instruction” or “related instruction” means an
12 organized and systematic form of instruction, concurrent with on-the-job
13 training, designed to provide an apprentice with the knowledge of the
14 theoretical and technical subjects related to the apprentice’s occupation. Such
15 instruction may be accomplished through classroom, occupational, or
16 industrial courses, or by correspondence courses of equivalent value, electronic
17 media, or other forms of self- study approved by the Department.

18 (31) “Sponsor” means an employer, a joint labor-management
19 organization, a trade association, a professional association, a labor
20 organization, an education and training provider, or a qualified intermediary
21 that is applying to register, administer, and operate a registered apprenticeship
22 program.

1 (32) “State Apprenticeship Agency” means the Vermont Department of
2 Labor as the federally designated apprenticeship agency and may also refer to
3 the “Vermont Registered Apprenticeship Program.”

4 (33) “Underserved communities” means the populations sharing a
5 particular characteristic, as well as geographic communities, who have been
6 systematically denied a full opportunity to participate in aspects of economic,
7 social, and civic life. This term includes individuals who belong to
8 communities of color, such as Black and African American, Hispanic and
9 Latino, Native American, Alaskan Native and Indigenous, Asian American,
10 Native Hawaiian and Pacific Islander, Middle Eastern, and North African
11 persons. It also includes individuals who belong to communities that face
12 discrimination based on sex, sexual orientation, and gender identity, including
13 lesbian, gay, bisexual, transgender, queer, gender non-conforming, and non-
14 binary (LGBTQ+ persons; persons who face discrimination based on
15 pregnancy or pregnancy-related conditions; parents; and caregivers. It also
16 includes individuals who belong to communities that face discrimination based
17 on their religion and disability; first-generation professionals or first-
18 generation college students; individuals with limited English proficiency;
19 immigrants; individuals who belong to communities that may face employment
20 barriers based on older age or former incarceration; persons who live in rural
21 areas; veterans and military spouses; and persons otherwise adversely affected
22 by persistent poverty, discrimination, or inequality. Individuals may belong to
23 more than one underserved community and face intersecting barriers.

1 (34) “Vermont Apprenticeship Advisory Board” or “Board” means the
2 entity created in Sec X: (Vermont Apprenticeship Advisory Board) of this title
3 and described as a “State Apprenticeship Council” in 29 CFR 29 that supports
4 Vermont’s registered apprenticeship system.

5 (35) “Youth apprentice” means a participant, aged 16 or 17, in a youth
6 apprenticeship program.

7 (36) “Youth Apprenticeship program” means a program registered by
8 the Department as provided in Sec. X of this title or, as applicable, by the
9 federal Office of Apprenticeship.

10 § 1112. STATE APPRENTICESHIP AGENCY

11 (a) The Department is the federally designated State Apprenticeship
12 Agency and has the responsibility to oversee apprenticeship programs and
13 apprentices in Vermont.

14 (b) The Department shall take all necessary steps as required and permitted
15 by law to maintain its status as the State Apprenticeship Agency and
16 recognized by the federal Office of Apprenticeship under Code of Federal
17 Regulations, title 29, part 29, section 29.13.

18 § 1113. VERMONT REGISTERED APPRENTICESHIP PROGRAM

19 (a) Purpose.

20 (1) The Vermont Registered Apprenticeship Program shall develop and
21 regulate apprenticeship programs, pre-apprenticeship, and youth
22 apprenticeship programs that are industry-driven, high-quality career pathways
23 in partnership with employers to attract, train, and develop talent.

1 (2) The Vermont Registered Apprenticeship Program shall coordinate
2 with State and local workforce development entities that serve individuals
3 seeking employment and shall partner with State and local education and
4 economic development leaders to expand the use of apprenticeship programs
5 as a workforce and economic development strategy.

6 (b) Administration. The Vermont Registered Apprenticeship Program shall
7 be administered by the Department and shall employ a Director of
8 Apprenticeship who shall serve as the primary point of contact with the federal
9 Office of Apprenticeship and who shall have overall responsibility for the
10 administration of the Vermont Registered Apprenticeship Program.

11 (c) Operation. The Vermont Registered Apprenticeship Program shall:

12 (1) develop, register, monitor, and maintain records of program
13 standards for apprenticeship programs, pre-apprenticeship programs, and youth
14 apprenticeship programs;

15 (2) promote and provide technical support to employers, sponsors,
16 education and training providers, workforce and economic development
17 providers, jobseekers, and apprentices related to apprenticeship programs;

18 (3) develop and support strategies that promote diversity, equity,
19 accessibility, and inclusion in apprenticeship programs;

20 (4) expand the number of apprenticeship programs and opportunities to
21 meet employer and worker needs;

22 (5) administer apprenticeship programs and apprenticeship agreements,
23 including issuing certificates of program registration, certificates of

1 completion, interim credentials, and apprentice registration cards to comply
2 with intra- and inter-state requirements;

3 (6) maintain a publicly available list and information about
4 apprenticeship programs and sponsors;

5 (7) determine, evaluate, and approve standards for the registration of an
6 apprenticeship program;

7 (8) perform quality assurance assessments and monitor programs;

8 (9) maintain records related to program registration and deregistration,
9 apprentices enrollment and completion, compliance reviews and investigations,
10 and any other matters required by State or federal law;

11 (10) report on program outcomes;

12 (11) deregister programs that are not in compliance with the
13 requirements of section X of this title;

14 (12) develop and submit regular strategic and implementation plans,
15 including the State Plan for Equal Employment Opportunity Apprenticeship, as
16 required by 29 CFR part 30;

17 (13) promote and develop reciprocity agreements with other states to
18 support the recognition of apprenticeship programs and enable portability of
19 credentials;

20 (14) assist in the adoption and implementation of National Guideline
21 Standards or National Program Standards;

1 (15) coordinate alignment in apprenticeship program development and
2 implementation with employers, sponsors, education and training providers,
3 and other stakeholders; and

4 (16) maximize available State and federal funding to expand the
5 availability of apprenticeship programs to Vermont employers and workers.

6 (d) Powers and duties.

7 (1) The Commissioner shall:

8 (A) promulgate rules to implement the Vermont Registered
9 Apprenticeship Program, ensuring that it complies with State and federal
10 regulations;

11 (B) promote equality of opportunity in apprenticeship programs
12 pursuant to the State Plan for Equal Employment Opportunity in
13 Apprenticeship as required by 29 CFR part 30;

14 (C) support the integration of apprenticeship programs into the
15 education, workforce, and economic development systems in the State;

16 (D) establish journey-worker to apprentice ratios and procedures for
17 variance requests for ratios in accordance with section X of this title, except
18 that the ratio in a youth apprenticeship programs shall not exceed 1:1;

19 (E) safeguard the rights of employers and apprentices engaged in an
20 apprenticeship program; and

21 (F) direct the distribution of funds to support apprentices and
22 apprenticeship programs.

23 (2) The Director shall:

1 (A) advise the Commissioner on the adoption of rules concerning the
2 Vermont Registered Apprenticeship Program;

3 (B) approve new apprenticeable occupations **after consultation with**
4 **the Board;**

5 (C) approve and oversee the development, registration, monitoring,
6 and maintenance of program standards for apprenticeship, pre-apprenticeship,
7 and youth apprenticeship programs; and

8 (D) approve and oversee the registration of apprentices, maintenance
9 of apprenticeship agreements, and issue certificates of completion and interim
10 credentials.

11 (e) Strategic planning and reporting. The Vermont Registered
12 Apprenticeship Program shall:

13 (1) develop and disseminate a strategic plan once every five years,
14 beginning July 1, 2024;

15 (2) prepare and submit to the Vermont General Assembly an annual
16 report on the status of the Vermont Registered Apprenticeship Program on or
17 before December 1 of each year that includes:

18 (A) general program statistics, **including a list of programs by**
19 **county;**

20 (B) an analysis of apprentices in the program disaggregated by **age,**
21 **race, gender, Veteran status, disability, industry, and education status,**
22 **including participation in career and technical education;**

23 (C) non-traditional occupations by **gender;**

1 (D) new occupations approved;

2 (E) an analysis of the average starting and ending wage by
3 occupation;

4 (F) new sponsors, employers, or industries involved with programs
5 over the previous period;

6 (G) a summary of how allocated funds were used and analysis of the
7 impact of those funds; and

8 (H) summary of significant activities of the program.

9 § 1114. VERMONT APPRENTICESHIP ADVISORY BOARD

10 (a) Creation and purpose. The Vermont Apprenticeship Advisory Board is
11 established to advise the Department, sponsors, employers, and related-
12 instruction providers and to promote the development and strengthening of
13 apprenticeship programs.

14 (b) Members and terms.

15 (1)(A) The Board is composed of eleven voting members.

16 (B) All members shall be familiar with apprenticeable occupations.

17 (C) The Commissioner shall serve as chair and the Director shall
18 serve as Secretary.

19 (D) Terms of Service for appointed members shall be three years and
20 shall be staggered equitably across membership types.

21 (E) If a member fails to complete their term, the Governor shall
22 appoint a new member to complete the remainder of the term.

23 (2) The Governor shall appoint the following members:

- 1 (A) two representatives of the public;
2 (B) two representative employees of registered apprenticeship
3 programs;
4 (C) one representative of a recognized major union organization;
5 (D) two representatives of employer program sponsors; and
6 (E) one representative of related instruction or training provider.

7 (3) The following persons shall serve as ex officio members on the
8 Board:

- 9 (A) the Commissioner of Labor as Chair;
10 (B) the Vermont Registered Apprenticeship Program Director as
11 Secretary; and
12 (C) a member of Vermont's State Workforce Development Board, as
13 appointed by the Chair of the State Workforce Development Board.

14 (4) Members not compensated for their time otherwise shall receive a
15 per diem stipend for days of service to the Board and may be reimbursed for
16 their necessary expenses incurred in attendance at meetings and in the
17 performance of their official duties.

18 (c) Duties. The Board may:

19 (1) Receive and review reports from the Department regarding
20 provisional and registered apprenticeship programs, including programs under
21 development.

22 (2) Advise the Department on the creation of new apprenticeable
23 occupations.

1 (3) Advise the Commissioner on requests for ratio variances.

2 (4) Advise the Department on policies and procedures developed by the
3 Department and on establishment of rules.

4 (5) Provide technical guidance for identifying and promoting best
5 practices in operating apprenticeship programs.

6 (6) Create and convene working groups that are tasked with specific
7 activities related to improving the quality, safety, diversity, and alignment of
8 apprenticeship programs. Working group membership is not limited to
9 appointed members of the board and shall be selected and serve at the
10 discretion of the Chair.

11 (d) Meetings.

12 (1) The Board shall meet at least quarterly, or more frequently at the
13 request of the Chair, to accomplish the objectives of the Vermont
14 Apprenticeship Advisory Board.

15 (2) The Board shall adhere to Vermont's Open Meeting law including
16 requirements for public meeting notices, publishing agendas, and recording
17 minutes.

18 (e) The Board shall have the administrative, technical, and legal assistance
19 of the Department.

20 § 1115. PROGRAM REGISTRATION AND OPERATION

21 (a) Application.

1 (1) A sponsor may apply with the Vermont Registered Apprenticeship
2 Program for review and approval of a request to register a local apprentice
3 training program within the State.

4 (2) A local apprentice training program is registered upon its acceptance
5 and recording by the Vermont Registered Apprenticeship Program as meeting
6 the basic standards and requirements for approval of such a program and in
7 compliance with rules established by the Commissioner.

8 (b) Eligibility for registration of an apprenticeship program.

9 (1) To be eligible for registration an employer or sponsor must:

10 (A) be registered as a business in “active” status with the Secretary of
11 State’s Office and the business name and address must match that of the
12 business **requesting to be registered as a** program;

13 (B) be current and in good standing with the Department of Taxes;

14 (C) be current and in good standing with the Department of Labor’s
15 Unemployment Insurance program;

16 (D) be compliant with the Department of Labor’s Workers’
17 Compensation program; and

18 (E) meet any occupation specific requirements as established by the
19 Vermont Registered Apprenticeship Program for specific occupations.

20 (2) Employers or sponsors found not to meet the requirements of
21 subsection (b) of this section shall be given notice and allowed 30 business
22 days to resolve any outstanding issue before action is taken on the registration
23 request.

1 (3) An employer that seeks to register using National Program Standards
2 (NPS) or National Guideline Standards (NGS) shall meet the requirements of
3 this section.

4 (c) Procedure for registering an apprenticeship program.

5 (1) An employer or sponsor's request to register an apprenticeship
6 program shall be submitted to the Director using the form and submission
7 method published on the Department's website.

8 (2) Incomplete submissions shall not be considered.

9 (3) A complete request shall include:

10 (A) written and complete standards of apprenticeship, including
11 minimum qualifications;

12 (B) a work process schedule for each occupation;

13 (C) related technical instruction outline for each occupation;

14 (D) selection procedures, including procedures for advanced
15 standing; and

16 (E) a wage schedule for each occupation.

17 (4) An employer or program sponsor may identify any proprietary
18 information or processes within the registration request.

19 (d) Review; provisional and permanent approval.

20 (1) The Vermont Registered Apprenticeship Program shall review all
21 requests to register an apprenticeship program for initial conformity with
22 requirements established in 29 CFR §29.4, 29 CFR part 30, this chapter, and

1 with any additional requirements established by the Vermont Registered
2 Apprenticeship Program.

3 (2) An apprenticeship program that meets the standards for registration
4 shall be given provisional registration for a period of one year.

5 (3) An initial provisional registration certificate shall be issued by the
6 Director.

7 (4) The Vermont Registered Apprenticeship Program shall review an
8 apprenticeship program for quality and conformity with the requirements of
9 this chapter at the end of the first year after registration.

10 (5) An apprenticeship program that conforms to the requirements may
11 have its registration made permanent or may continue to be provisionally
12 registered until the end of its first training cycle or until enough information
13 regarding compliant operation can be made available.

14 (6) When an apprenticeship program has completed its provisional
15 review period and is found to be compliant, the Director shall issue a
16 certificate of permanent registration.

17 (e) Ongoing review.

18 (1) The Department shall conduct subsequent reviews of every
19 registered apprenticeship program every 5 years.

20 (2) If it is found that an apprenticeship program is not in operation or
21 does not conform to the requirements of this chapter, the Department shall
22 deregister that program in accordance with **section x** of this title.

23 (f) Union participation.

1 (1) An apprenticeship program may be proposed for registration by an
2 employer, group of employers, or an industry association.

3 (2) If a standard or a collective bargaining agreement or other
4 instrument exists for one or more of the employers or industry association,
5 which provides for participation by a union, and concerns any aspect of the
6 operation of the substantive matters of an apprenticeship program, a written
7 acknowledgment by the union about the terms of the proposed program and
8 any objections it may have shall accompany the program registration request.

9 (g) Certificate. If the Vermont Registered Apprenticeship Program
10 approves an apprenticeship program, it shall register that apprenticeship
11 program and issue a sponsor approval certificate indicating the approval status
12 as provisional or permanent and may include an expiration date or similar
13 notice that communicates the relationship with the program review cycle.

14 (h) National programs.

15 (1) Organizations with a national or multi-state footprint wishing to
16 adopt and implement National Guideline Standard programs within the State
17 shall notify the Director within 45 business days of the planned start date of the
18 apprenticeship program.

19 (2) National Program Standard holders who wish to afford Vermont
20 residents the opportunity to apprentice in a NPS program shall notify the
21 Director within 45 business days and shall follow other minimal requirements
22 as may be required by the Vermont Registered Apprenticeship Program for
23 reciprocal approval.

1 (i) Program operation.

2 (1) Probationary Employment. A sponsor shall submit the name of a
3 person in a period of probationary employment as an apprentice under an
4 apprenticeship program within 45 days of the start of employment to the
5 Vermont Registered Apprenticeship Program to establish the apprentice in
6 probationary status.

7 (2) Changes in status. A sponsor shall notify the Vermont Registered
8 Apprenticeship Program, using methods and procedures approved by the
9 Director, within 45 business days of registered apprentices who:

10 (A) have successfully completed an apprenticeship program;

11 (B) transferred to other programs with the same sponsor or to other
12 sponsors;

13 (C) are suspended;

14 (D) are cancelled; or

15 (E) are reinstated.

16 (3) Program changes.

17 (A) A sponsor shall not make a change to an apprenticeship program
18 unless the change is approved by the Vermont Registered Apprenticeship
19 Program.

20 (B) To make a change to an apprenticeship program, a sponsor shall
21 submit a request to the Vermont Registered Apprenticeship Program.

22 (C) The Director shall approve or deny the requested change within
23 90 business days from receipt of the request.

1 (D) If approved, the change will be recorded and acknowledged by
2 the Vermont Registered Apprenticeship Program within 90 business days.

3 (E) If denied, the Vermont Registered Apprenticeship Program shall
4 notify the sponsor of the disapproval and the reason for the disapproval and
5 provide the appropriate technical assistance.

6 (j) Information obtained from an employer or program sponsor in the
7 administration of this chapter shall be held confidential and shall not be
8 disclosed or open to public inspection without the written authorization of the
9 employer or program sponsor.

10 § 1116. RATIOS

11 (a) Ratios; variances.

12 (1)(A) Except as otherwise provided in this section, the ratio of
13 apprentices to journey-workers shall be 1:1.

14 (B) For each apprentice who completes 2,000 hours of on-the-job
15 training, the ratio may increase to 1:2.

16 (C) The ratio shall not exceed two apprentices for each journey-
17 worker unless a variance to the ratio is approved by the Commissioner.

18 (D) Variances shall not be permitted for youth apprenticeships.

19 (2)(A) A sponsor or an employer may request to modify the ratio of
20 journey-worker to apprentices for one or more years of an apprenticeship
21 program.

22 (B) The request shall be in writing and include the following
23 information:

1 (i) the capacity of the employer to maintain the quality of
2 supervision of on-the-job training set forth their program standards with added
3 apprentices;

4 (ii) the impact of higher ratios on the learning experience of
5 existing apprentices and steps taken to ensure that apprentices are not
6 disadvantaged in the quality of their on-the-job learning, mentoring, and
7 supervision by higher ratios; and

8 (iii) an occupational safety analysis that describes the specific
9 risks to apprentices, journey-workers, and the general public and what steps
10 will be taken to mitigate each risk.

11 (3)(A) The Commissioner, with advice from the Director, the Director
12 of the Vermont Occupational Safety and Health Administration, and the Board
13 shall review the request and respond in writing within 90 days of receipt of the
14 request.

15 (B) In evaluating a request, the Commissioner may affirm or modify
16 a ratio upon a determination that the new ratio:

17 (i) will not endanger the safety of apprentices or the journey-
18 worker; and

19 (ii) will not materially impair the quality of the on-the-job
20 training.

21 (4) Nothing in this section shall be construed as prohibiting a sponsor or
22 employer from establishing a ratio that permits or requires more than one
23 journey-worker for each apprentice or as invalidating a collective bargaining

1 agreement that permits or requires more than one journey-worker for each
2 apprentice.

3 (5) In a period of emergency, the Commissioner may approve a higher
4 ratio for one or more employers or sponsors without the need for an individual
5 written request. The Commissioner shall receive advice from the Board prior
6 to issuing a blanket ratio variance under this subsection.

7 (b) National Program Standards programs. Employers who participate in a
8 National Apprenticeship Standards Program whose approved ratio is greater
9 than 1:1 shall operate under the State's default 1:1 ratio requirement unless a
10 variance is approved under this section.

11 § 1117. STANDARDS OF APPRENTICESHIP

12 (a) An apprenticeship program shall conform to the standards identified in
13 this section to be eligible for approval and registration by the Vermont
14 Registered Apprenticeship Program.

15 (b) A program sponsor shall have an organized, written plan specifying
16 program standards that embody the terms and conditions of employment,
17 training, and supervision of one or more apprentices in an apprenticeable
18 occupation and subscribed to by a sponsor who has undertaken to carry out the
19 local apprentice training program.

20 (c) The written plan shall contain provisions that address the following:

21 (1) Apprenticeable Occupation. The employment and training of the
22 apprentices in an apprenticeable occupation.

1 (2) Term and modality of program. The term of the program measured
2 using either a time- based approach, competency- based approach, or a hybrid
3 approach.

4 (A) The time- based approach measures skill acquisition through the
5 individual apprentice’s completion of a minimum of 2,000 hours to a
6 maximum of 10,000 hours of on-the-job learning as described in a work
7 process schedule.

8 (B) The competency-based approach measures skill acquisition
9 through the individual apprentice’s successful demonstration of acquired skills
10 and knowledge, as verified by the program sponsor, and cannot be less than
11 one year in length. Programs utilizing this approach shall require apprentices to
12 complete an on-the-job learning component. The program standards shall
13 address how on-the-job learning will be integrated into the apprenticeship
14 program, describe competencies, and identify appropriate means of testing and
15 evaluation for such competencies.

16 (C) The hybrid approach measures the individual apprentice’s skill
17 acquisition through a combination of specified minimum number of hours of
18 on-the-job learning and the successful demonstration of competency as
19 described in a work process schedule.

20 (D) The determination of the appropriate approach for the
21 apprenticeship program standards is made by the program sponsor, subject to
22 the approval by the Vermont Registered Apprenticeship Program.

1 (3) Work process. An outline of the work processes in which the
2 apprentice will receive supervised work experience and on-the-job training,
3 and the allocation of the approximate amount of time to be spent in each major
4 process;

5 (4) Related instruction and instructor requirements. An organized
6 description of related instruction and technical subjects related to the
7 occupation that shall include a minimum of 144 hours of related technical
8 instruction for each year of apprenticeship. Instruction and technical subjects
9 may be accomplished through media such as classroom, occupational or
10 industry courses, electronic media, or other instruction approved by the
11 Vermont Registered Apprenticeship Program. Every apprenticeship instructor
12 shall:

13 (A) meet the Agency of Education's requirements for a career and
14 technical education instructor or be a subject matter expert, which is an
15 individual, such as a journey-worker, who is recognized within an industry as
16 having expertise in a specific occupation; and

17 (B) have training in teaching techniques and adult learning styles.

18 This training may occur no later than one year after the apprenticeship
19 instructor has started to provide the related technical instruction. [Cameron –

20 “contradiction that needs to be fixed”]

21 (5) Wage schedule. A schedule of progressively increasing wages to be
22 paid to an apprentice consistent with the skill acquired. The entry wage shall
23 not be less than minimum wage or 50% of the journey-worker rate, whichever

1 is highest, for adult registered apprentices, unless a higher wage is required by
2 other applicable State or federal law, rule, or by collective bargaining
3 agreement. For purposes of this subdivision (5), "journey-worker rate" is the
4 rate of pay established by the sponsor for an apprentice who has met all of the
5 skill, knowledge, and competency requirements for that occupation.

6 (6) Fringe benefits. Fringe benefits made available to non-apprentices
7 within the company shall also be available to apprentices registered in the
8 company's apprenticeship program.

9 (7) Apprentice performance evaluation. Provision for periodic review
10 and evaluation of the apprentice's performance on the job and in related
11 instruction and the maintenance of appropriate progress records, including
12 maintaining records of hours worked for those apprentices in time-based
13 programs.

14 (8) Ratio. Provision for a numeric ratio of apprentices to journey-
15 workers consistent with proper supervision, training, safety, and continuity of
16 employment and with applicable provisions in collective bargaining
17 agreements, except where such ratios are expressly prohibited by the collective
18 bargaining agreement. The ratio language shall be specific and clearly
19 described as to its application to the job site, workforce, department, or plant.
20 The ratio shall comply with the requirements set forth in this chapter. Any
21 variances requested to the set ratio shall be approved in advance of the
22 variance being applied to the apprenticeship program.

1 (9) Probationary period. A probationary period reasonable in relation to
2 the full apprenticeship term, with full credit given for such period toward
3 completion of apprenticeship. The probationary period cannot exceed 25
4 percent of the length of the apprenticeship program, or one year, whichever is
5 shorter.

6 (10) Equipment and facilities. Provision for adequate and safe
7 equipment and facilities for training and supervision, and safety training for
8 apprentices on the job and in related instruction.

9 (11) Minimum qualifications. Facially neutral, minimum qualifications
10 required by the sponsor for persons entering the apprenticeship program, with
11 an eligible starting age of not less than 16 years of age, or 18 years of age if
12 required by State or federal laws or regulations.

13 (12) Placement. Provision for the placement of an apprentice under a
14 written apprenticeship agreement that meets the requirements of this chapter
15 and 29 CFR, Section 29.7, is approved by the Vermont Registered
16 Apprenticeship Program, and directly, or by reference, incorporates the
17 standards of the apprenticeship program as part of the agreement.

18 (13) Registration cards. Provision that identifies the need for a card to
19 be produced that confirms the registration status of an apprentice in an
20 approved occupation.

21 (14) Advanced Standing. Provision for the granting of advanced
22 standing or credit for demonstrated competency, acquired experience, training,

1 or skills, that shall be applied to all applicants equally with commensurate
2 wages for any progression step so granted.

3 (15) Transfer. Provision for transfer of an apprentice between
4 apprenticeship programs and within an apprenticeship program. Such a transfer
5 shall be based on agreement between the apprentice and the affected
6 apprenticeship committees or program sponsors, and shall comply with the
7 following requirements:

8 (A) the transferring apprentice shall be provided a transcript of
9 related instruction and on-the-job learning by the program sponsor;

10 (B) the transfer shall be to the same occupation; and

11 (C) a new apprenticeship agreement shall be executed when the
12 transfer occurs between program sponsors.

13 (16) Qualified training personnel. Assurance of qualified training
14 personnel and adequate supervision on the job.

15 (17) Completion. Provision for recognition for successful completion of
16 apprenticeship evidenced by an appropriate certificate issued by the Vermont
17 Registered Apprenticeship Program.

18 (18) Interim and stackable credentials. Apprenticeship program
19 standards that utilize the competency- based or hybrid approach for
20 progression through an apprenticeship and that choose to issue interim
21 credentials shall clearly identify the interim credentials, demonstrate how these
22 credentials link to the components of the apprenticeable occupation, and
23 establish the process for assessing an individual apprentice's demonstration of

1 competency associated with the interim credential. Further, interim credentials
2 shall only be issued for recognized components of an apprenticeable
3 occupation thereby linking interim credentials specifically to the knowledge,
4 skills, and abilities associated with those components of the apprenticeable
5 occupation.

6 (19) Registration agency. Identification of the Vermont Department of
7 Labor as the registration agency.

8 (20) Program modifications. Provision for the registration, cancellation,
9 and deregistration of the apprenticeship program and for the prompt
10 submission of any program standard modification or amendment to the
11 Vermont Registered Apprenticeship Program for approval.

12 (21) Registering apprentices. Provision for apprenticeship agreements,
13 modifications, and amendments, notice to the Vermont Registered
14 Apprenticeship Program of persons who have successfully completed
15 apprenticeship programs within 45 days of completion of all requirements, and
16 notice of transfers, suspensions, and cancellations of apprenticeship
17 agreements and a statement of the reasons therefore.

18 (22) Cancellation. Provision for the authority to cancel an
19 apprenticeship agreement during the probationary period by either party
20 without cause.

21 (23) Equal Employment Opportunity. Provision for compliance with 29
22 CFR part 30, including the equal opportunity pledge prescribed in 29 CFR
23 30.3(c); an affirmative action program complying with 29 CFR 30.4 and a

1 method for the selection of apprentices complying with 29 CFR 30.10, or
2 compliance with parallel requirements contained in the Department's State
3 Plan for Equal Employment Opportunity in Apprenticeship adopted under 29
4 CFR part 30 and approved by federal Office of Apprenticeship. The
5 apprenticeship standards shall also include a statement that the program will be
6 conducted, operated, and administered in conformity with applicable
7 provisions of 29 CFR part 30, as amended, or if applicable the State Plan for
8 Equal Employment Opportunity in Apprenticeship.

9 (24) Contact information. The name, physical address, telephone
10 number, and e-mail address for the appropriate individual with authority under
11 the apprenticeship program to receive, process, and make disposition of
12 complaints.

13 (25) Recordkeeping. Provision for recording and maintenance of all
14 records concerning apprenticeship as may be required by the Vermont
15 Registered Apprenticeship Program and other applicable law.

16 § 1118. APPRENTICESHIP PROGRAM MINIMUM ENROLLMENT;
17 EVALUATION

18 (a) Minimum number of apprentices. An apprenticeship program,
19 including occupations registered to the program, shall have at least one
20 registered apprentice, except for the following specified periods of time if the
21 periods do not exceed one year:

22 (1) between the date when the apprenticeship program is registered and
23 the date of registration for its first apprentice; or

1 (2) between the date that the apprenticeship program graduates an
2 apprentice and the date of registration for the next apprentice(s) in the
3 program.

4 (b) Evaluation. The Vermont Registered Apprenticeship Program shall
5 adopt tools and factors to evaluate the performance of apprenticeship
6 programs, including the following:

7 (1) Quality assurance assessments.

8 (2) Equal Employment Opportunity compliance reviews.

9 (3) Completion rates.

10 (A)(i) To evaluate completion rates, the Vermont Registered
11 Apprenticeship Program shall review an apprenticeship program's completion
12 rates in comparison to the national average for completion rates.

13 (ii) Based on review, the Vermont Registered Apprenticeship
14 Program may provide technical assistance to apprenticeship programs with
15 completion rates lower than the national average.

16 (B) Cancellation of apprenticeship agreements during the
17 probationary period shall not have an adverse impact on a sponsor's
18 completion rate.

19 § 1119. APPRENTICES REGISTERED; AGREEMENT

20 (a) Apprentices shall be individually registered under a registered sponsor
21 and in an apprenticeship program.

1 (b) Registration is complete when the sponsor files a signed, completed
2 apprenticeship agreement with the Vermont Registered Apprenticeship
3 Program and it is reviewed and approved by the Department.

4 (c) An apprenticeship agreement shall contain:

5 (1) The names and signatures of the apprentice, the program sponsor or
6 employer, and of a parent or guardian of the apprentice if the apprentice is a
7 minor.

8 (2) The date of birth and Social Security Number of the apprentice.

9 (3) The contact information of the program sponsor and Vermont
10 Registered Apprenticeship Program.

11 (4) A statement of the occupation in which the apprentice is to be
12 trained and the beginning date and duration of apprenticeship.

13 (5) A statement showing:

14 (A) the number of hours to be spent by the apprentice in work on-
15 the- job in a time- based program or a description of the skill sets to be attained
16 by completion of a competency- based program, including the on- the- job
17 learning component;

18 (B) the minimum number of hours to be spent by the apprentice and a
19 description of the skill sets to be attained by completion of hybrid program;

20 and

21 (C) the number of hours to be spent in related technical instruction in
22 subjects related to the occupation, which is required to be not less than 144
23 hours per year.

1 (6) A statement setting forth a schedule of the work processes in the
2 occupation or industry divisions in which the apprentice is to be trained and the
3 approximate time to be spent at each process.

4 (7) A statement of the graduated scale of wages to be paid to the
5 apprentice and whether or not the required related instruction is compensated.

6 (8) Statements providing:

7 (A) for a specific period of probation during which the apprenticeship
8 agreement may be cancelled by either party to the agreement upon written
9 notice to the registration agency without adverse impact on the sponsor; and

10 (B) that, after the probationary period, the apprenticeship agreement
11 may be:

12 (i) cancelled at the request of the apprentice; or

13 (ii) suspended or cancelled by the sponsor, for good cause, with
14 due notice to the apprentice and a reasonable opportunity for corrective action
15 and with written notice to the apprentice and to the Vermont Registered
16 Apprenticeship Program of the final action taken.

17 (9) A reference incorporating as part of the agreement the standards of
18 the apprenticeship program as they exist on the date of the agreement and as
19 they may be amended during the period of the agreement.

20 (10) A statement that the apprentice will be accorded equal opportunity
21 in all phases of apprenticeship employment and training, without
22 discrimination because of race, color, religion, ancestry, national origin, sex,
23 sexual orientation, gender identity, place of birth, crime victim status, genetic

1 information, age, qualified disability, or any other category protected by State
2 or federal law.

3 (11) The name, physical address, telephone number, and e-mail address
4 of the appropriate authority designated under the apprenticeship program to
5 receive, process, and make disposition of controversies or differences arising
6 out of the apprenticeship agreement when the controversies or differences
7 cannot be adjusted locally or resolved in accordance with the established
8 procedure or applicable collective bargaining provisions.

9 (12) To conform to the federal Equal Employment Opportunity Act of
10 1972, 42 United States Code, Chapter 21, subchapter VI and for affirmative
11 action compliance in apprenticeship programs, the voluntary disclosure of the
12 apprentice's race, gender, gender identity, sexual orientation, ethnicity, and
13 disability status.

14 (13) If the apprentice completed secondary school in Vermont and is
15 between the age of 18 and 25, the name of the secondary school from which
16 they are a graduate, and if the apprentice attended a regional CTE center, the
17 name of the center where they received technical education while in secondary
18 school.

19 (d) An apprenticeship agreement shall not be modified unless it is in
20 writing and signed by the parties.

21 § 1120. DEREGISTRATION OF A REGISTERED APPRENTICESHIP
22 PROGRAM

1 (a) Deregistration. Deregistration of an apprenticeship program shall occur
2 upon the voluntary action of the sponsor by submitting a request for
3 cancellation of the registration or by the Vermont Registered Apprenticeship
4 Program instituting formal deregistration proceedings in accordance with this
5 section.

6 (b) Deregistration at the request of the sponsor. The Vermont Registered
7 Apprenticeship Program may cancel the registration of an apprenticeship
8 program by written acknowledgement of such request stating the following:

9 (1) that the registration is cancelled at the sponsors request, and the
10 effective date thereof;

11 (2) that, within 15 business days of the date of the acknowledgment, the
12 sponsor will notify all apprentices of such cancellation and the effective date;

13 (3) that the cancellation automatically deprives the apprentice of
14 individual registration;

15 (4) that the deregistration of the program removes the apprentice from
16 coverage for federal purposes which require the U.S. Secretary of Labor's
17 approval of an apprenticeship program; and

18 (5) that all apprentices are referred to the Vermont Registered
19 Apprenticeship Program for information about potential transfer to other
20 registered apprenticeship programs.

21 (c) Deregistration by the Vermont Registered Apprenticeship Program
22 upon reasonable cause.

1 (1)(A) Deregistration proceedings may be undertaken when the
2 apprenticeship program is not conducted, operated, or administered in
3 accordance with the program's registered provisions or with the requirements
4 of this chapter, including:

5 (i) failure to provide on- the- job learning;

6 (ii) failure to provide related technical instruction;

7 (iii) failure to pay the apprentice a progressively increasing
8 schedule of wages consistent with the apprentices' skills acquired; or

9 (iv) persistent and significant failure of the program to operate or
10 perform successfully.

11 (B) For purposes of this section, persistent and significant failure to
12 perform successfully occurs when a program sponsor consistently fails to
13 register at least one apprentice, shows a pattern of poor quality assessment
14 results over a period of several years, demonstrates an ongoing pattern of very
15 low completion rates over a period of several years, or shows no indication of
16 improvement in the areas identified by the Vermont Registered Apprenticeship
17 Program during a review process as requiring corrective action.

18 (C) Where it has been determined that the program is not being
19 operated in accordance with the registered standards or with the requirements
20 of this chapter, the Vermont Registered Apprenticeship Program shall notify
21 the program sponsor in writing.

22 (2) A notice of deregistration sent to the program sponsors contact
23 person shall:

1 (A) be sent by registered or certified mail, with return receipt
2 requested;

3 (B) state the shortcomings and the remedy required; and

4 (C) state that a determination of reasonable cause for deregistration
5 will be made unless corrective action is affected within 30 business days.

6 (3) Upon request by the sponsor for good cause, the 30- business day
7 term may be extended for another 30 business days. During the period for
8 corrective action, the Vermont Registered Apprenticeship Program shall assist
9 the sponsor in every reasonable way to achieve conformity.

10 (4) If the required correction is not completed within the allotted time,
11 the Vermont Registered Apprenticeship Program shall send a notice to the
12 sponsor, by registered or certified mail, return receipt requested, stating the
13 following:

14 (A) the notice is sent under this section;

15 (B) the deficiencies that were called to the sponsors attention, the
16 remedial measures requested, with the dates of such occasions and letters, and
17 that the sponsor has failed or refused to take corrective action;

18 (C) based upon the stated deficiencies and failure to remedy them, a
19 determination has been made that there is reasonable cause to deregister the
20 program and the program may be deregistered unless, within 15 business days
21 of the receipt of this notice, the sponsor requests a hearing with the Vermont
22 Registered Apprenticeship Program and the Vermont Apprenticeship Advisory
23 Board; and

1 (D) if the sponsor does not request a hearing, the entire matter will be
2 submitted to the Commissioner for a decision on the record with respect to
3 registration.

4 ~~(5) If the sponsor does not request a hearing, the Vermont Registered~~
5 ~~Apprenticeship Program shall transmit to the Director a report containing all~~
6 ~~pertinent facts and circumstances concerning the nonconformity, including the~~
7 ~~findings and recommendation for deregistration, and copies of all relevant~~
8 ~~documents and records. Statements concerning interviews, meetings, and~~
9 ~~conferences shall include the time, date, places, and persons present. The~~
10 ~~Director shall make a final order on the basis of the record presented.~~

11 ~~(6) If the sponsor requests a hearing, the Vermont Registered~~
12 ~~Apprenticeship Program shall transmit to the Director a report containing all~~
13 ~~the data listed in this section, and the Director shall refer the matter to a~~
14 ~~Department administrative law judge. An administrative law judge will~~
15 ~~convene a hearing in accordance with 29 CFR § 29.10 and issue a decision as~~
16 ~~required in 29 CFR § 29.10(e).~~

17 (5) Every order of deregistration shall contain a provision that the
18 sponsor, within 15 business days of the effective date of the order, notify all
19 registered apprentices of the deregistration of the apprenticeship program, the
20 effective date thereof, that such cancellation automatically deprives the
21 apprentice of individual registration, that the deregistration removes the
22 apprentice from coverage for Federal purposes which require the Secretary of
23 Labor's approval of an apprenticeship program, and that all apprentices are

1 referred to the Vermont Registered Apprenticeship Program for information
2 about potential transfer to other apprenticeship programs.

3 (d) Reinstatement. An apprenticeship program deregistered under this
4 section may be reinstated upon presentation to the Vermont Registered
5 Apprenticeship Program of adequate evidence that the apprenticeship program
6 is operated in accordance with this chapter.

7 § 1121. LIMITATIONS

8 Nothing in this chapter or in an apprenticeship agreement may be construed
9 to invalidate:

10 (1) the at-will nature of employment in Vermont;

11 (2) any apprenticeship provision in a collective bargaining agreement
12 between employers and employees establishing more stringent apprenticeship
13 standards; or

14 (3) any special provision for veterans, minorities, or women in the
15 standards, apprentice qualifications, or operation of an apprenticeship program
16 or in the apprenticeship agreement that is not otherwise prohibited by law,
17 Executive Order, or authorized regulation or rule.

18 § 1122. COMPLAINTS

19 (a) Any controversy or difference arising under an apprenticeship
20 agreement that cannot be resolved by the parties and that is not covered by a
21 collective bargaining agreement may be submitted by an apprentice, or the
22 apprentice's authorized representative, to the Vermont Registered
23 Apprenticeship Program for review.

1 (b)(1) The complaint shall be in writing and signed by the complainant, or
2 authorized representative, and shall be submitted within 60 business days of
3 the event occurred giving rise to the complaint.

4 (2) The complaint shall set forth the specific matters complained of,
5 together with relevant facts and circumstances.

6 (3) Copies of pertinent documents and correspondence shall accompany
7 the complaint.

8 (c)(1) The Vermont Registered Apprenticeship Program shall render an
9 opinion within 90 business days after receipt of the complaint, based upon such
10 investigation of the matters submitted as may be found necessary, and the
11 record before it.

12 (2) During the 90 day period, the Vermont Registered Apprenticeship
13 Program shall make reasonable efforts to affect a satisfactory resolution
14 between the parties involved.

15 (3) If so resolved, the parties shall be notified that the case is closed.

16 (4) Where a decision is rendered, copies shall be sent to all interested
17 parties.

18 (d)(1) This section is not applicable to any complaint concerning
19 discrimination or other equal opportunity matters.

20 (2) All such complaints shall be submitted, processed, and resolved in
21 accordance with applicable provisions in 29 CFR part 30 or applicable
22 provisions of the Vermont Department of Labor State Plan for Equal
23 Employment Opportunity in Apprenticeship.

1 (e) Nothing in this section precludes an apprentice from pursuing any other
2 remedy authorized under federal or State law.

3 § 1123. PRE-APPRENTICESHIP PROGRAMS

4 (a) A pre-apprenticeship program is one that is designed to prepare
5 individuals to enter and succeed in an apprenticeship program by providing
6 instruction and skill development opportunities to attain competency needed to
7 enter a related apprenticeship program.

8 (b) A pre-apprenticeship program may be registered by the Department
9 after successfully demonstrating:

10 (1) the program is carried out by a sponsor that has a written agreement
11 with at least one sponsor of an apprenticeship program;

12 (2) engages an active, advisory partnership with an industry leader or
13 sector partnership to inform the training and education services necessary for a
14 pre- apprenticeship program;

15 (3) there is sufficient demand in an apprenticeship program at the
16 completion of a pre-apprenticeship program to support a transition from the
17 pre-apprenticeship program to an apprenticeship program;

18 (4) the program follows a written plan for related instruction and work-
19 based learning or training that was developed in consultation with the sponsor
20 or sponsors of the apprenticeship program;

21 (5) the program includes mentoring, career exposure, career planning,
22 and career awareness activities;

1 (6) the program includes paid work-based leaning or training, to the
2 extent practicable, or unpaid work-based learning or training in which an
3 employer or industry partnership and a related technical instruction provider
4 collaborate to design the learning or training that will introduce participants to
5 the skills, competencies, and materials used in one or more appreciable
6 occupations;

7 (7) to the extent appropriate and practicable, the program meets related
8 technical instruction requirements that include enabling an individual to attain
9 a secondary school diploma or its recognized equivalent that enables a pre-
10 apprentice to enter into an apprenticeship; and

11 (8) the program includes, when relevant, any agreement for advanced
12 standing for the pre-apprentice upon entering a registered apprenticeship
13 program.

14 ~~(b)(1) The Department shall pursue a statewide articulation agreement with~~
15 ~~the Agency of Education for any secondary career and technical education~~
16 ~~program that may meet the criteria of this section in order to promote the~~
17 ~~elevated and expedited transfer of students into apprenticeship programs after~~
18 ~~graduation.~~

19 ~~(2) The Department shall publish the results of those pursuits as~~
20 ~~determinations are made.~~

21 § 1124. YOUTH APPRENTICESHIP PROGRAMS

1 (a) A youth apprenticeship program is one that prepares a youth apprentice
2 for acceptance into an apprenticeship program and is designed for youth
3 apprentices who start the program while still enrolled in high school.

4 (b) A youth apprenticeship program may be registered by the Department
5 after submitting the following information:

6 (1) a written plan that articulates the work processes and how a youth
7 apprentice will receive supervised work experience and on-the-job training or
8 in an experiential setting;

9 (2) how time spent by a youth apprentice in each major work process
10 will be spent or that specifies how competencies or proficiencies are aligned
11 between their high school education and the youth apprenticeship program, and
12 that states which graduation requirements will be met;

13 (3) a description of the mentoring that will be provided to the youth
14 apprentice;

15 (4) a description or timeline explaining the periodic reviews and
16 evaluations of the youth apprentices performance on the job and in related
17 technical instruction;

18 (5) a process for maintaining appropriate progress records, including the
19 reviews and evaluations;

20 (6) a description of related classroom- based instruction, which may be
21 fulfilled through dual or concurrent enrollment in secondary or post-secondary
22 courses;

1 (7) whether and how the program is aligned with high school diploma
2 requirements and career clusters;

3 (8) whether the program meets the related technical instruction
4 requirements for an apprenticeship program;

5 (9) if a program includes paid work, a progressively increasing, clearly
6 defined schedule of wages to be paid to the youth apprentice as skills are
7 mastered;

8 (10) how the program prepares the youth apprentice for placement in
9 further education, employment, or an apprenticeship program; and

10 (11) the terms by which the program grants advanced standing or credit
11 to individuals applying for the youth apprenticeship with demonstrated
12 competency or acquired experience, training, or skills.

13 ~~(c)(1) The Department shall pursue a statewide articulation agreement with~~
14 ~~the Agency of Education for any secondary career and technical education~~
15 ~~program that may meet the criteria of this section in order to promote the~~
16 ~~elevated and expedited transfer of students into registered apprenticeship~~
17 ~~programs after graduation.~~

18 ~~(2) The Department shall publish the results of those pursuits as~~
19 ~~determinations are made.~~

20 § 1125. CAREER PATHWAY ALIGNMENT WITH APPRENTICESHIP
21 PROGRAMS

22 (a) The Vermont Registered Apprenticeship Program shall coordinate with
23 other State agencies and departments in the furtherance of Registered

1 Apprenticeship as a training model that can advance equity, provide
2 Vermonters' access to good paying careers, and make available untapped talent
3 for Vermont employers.

4 (b)(1) The Vermont Registered Apprenticeship Program shall provide
5 technical assistance and training to sponsors on an ongoing basis related to
6 developing or modifying their minimum qualifications, equal opportunity
7 requirements, promotion of diversity, apprentice selection procedures, and
8 other requirements for advanced standing in their standards of apprenticeship.

9 (2) The Program shall provide technical assistance and training with
10 assistance from Vocational Rehabilitation, including HireAbility, and the
11 Division for Blind and Visual Impairments, the Agency of Education including
12 Adult Education and Literacy, Career Technical Education, and Special
13 Education Transition Specialists, the Office of Veterans Affairs, and other
14 workforce partners.

15 (c)(1) The Vermont Registered Apprenticeship Program shall develop
16 policies and procedures for the registration of pre-apprenticeship and youth
17 apprenticeship programs meeting the definition established in this chapter and
18 which may be included in career pathway alignment efforts.

19 (2) Pre-apprenticeship programs shall be developed for individuals with
20 disabilities, refugees, individuals for whom English is not the primary spoken
21 language, adults with limited literacy and numeracy skills, or who do not have
22 a high school diploma or equivalent, and other groups who are excluded from
23 access to high-wage careers and participation in the registered apprenticeship

1 system because they do not meet the minimum qualifications established in
2 standards of apprenticeship.

3 (d) The Vermont Registered Apprenticeship program, working with the
4 Agency of Education, shall develop program guidelines for youth
5 apprenticeships that start while an apprentice is still in high school and that can
6 be included as part of the Agency's career pathways efforts in addition to the
7 Vermont Registered Apprenticeships Program's efforts to align talent pipelines
8 between education providers and registered apprenticeship program sponsors.