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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- APPRENTICESHIPS

Introduced By: Senators Cano, Goodwin, Ciccone, Lombardi, and Goldin

Date Introduced: February 25, 2020

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-6-24, 5-6-24.1 and 5-6-34 of the General Laws in Chapter 5-6  
2 entitled "Electricians" are hereby amended to read as follows:

3 **5-6-24. Apprentices -- Registration.**

4 (a) This chapter does not forbid the employment of one properly limited-registered  
5 apprentice electrician working with and under the direct personal supervision of a licensed  
6 journeyman electrician. Additionally, this chapter does not forbid the employment of: (1) One  
7 properly registered apprentice journeyman working with and under the direct personal supervision  
8 of a licensed journeyman; (2) One properly registered apprentice fire alarm installer working with  
9 and under the direct personal supervision of a licensed fire alarm installer; (3) Two (2) properly  
10 registered ~~apprentice~~ electrical sign installers in training, working with and under the direct  
11 personal supervision of a licensed electrical sign installer; (4) One properly registered apprentice  
12 maintenance electrician working with and under the direct personal supervision of a valid Class C  
13 or Class D license holder; or (5) One properly registered ~~apprentice~~ lightning-protection installer  
14 in training, working with and under the direct personal supervision of a licensed lightning-  
15 protection installer (LPI). Apprentices are required to register with the division of professional  
16 regulation within the department of labor and training immediately upon employment with a  
17 properly licensed electrical contractor or lightning-protection contractor.

18 (b) ~~Indentured apprentice electricians are required to work a minimum of eight thousand~~  
19 ~~(8,000) hours over a period of time of not less than four (4) years and successfully complete one~~

1 ~~hundred forty four (144) hours of related instruction per year in an indentured apprenticeship~~  
2 ~~program approved by the Rhode Island department of labor and training, to qualify for the~~  
3 ~~journey person "B" electrician examination; provided, however, apprentices may receive credit for~~  
4 ~~one hundred forty four (144) hours of classroom training gained in a vocational school authorized~~  
5 ~~by the board of education and approved by the Rhode Island department of labor and training~~  
6 ~~apprenticeship council. Provided, that the test applicant has possessed, for at least four (4) years~~  
7 ~~prior to the filing of the application, a certificate of registration in full force and effect from the~~  
8 ~~department of labor and training of Rhode Island specifying the person as an indentured apprentice,~~  
9 ~~and the application of an applicant is accompanied by an affidavit or affidavits of his or her~~  
10 ~~employer or former employers or other reasonably satisfactory evidence showing that the applicant~~  
11 ~~has been actually engaged in electrical work as an apprentice in Rhode Island during those four (4)~~  
12 ~~years; or the application is accompanied by an affidavit or other reasonably satisfactory evidence~~  
13 ~~showing that the applicant has successfully completed a course of study in a recognized college or~~  
14 ~~university and has pursued a course of electrical technology for at least two (2) academic years or~~  
15 ~~is the recipient of an associate degree in electrical technology, and has thereafter been indentured~~  
16 ~~by the department of labor and training as an apprentice for at least two (2) years and employed as~~  
17 ~~an indentured apprentice by a duly licensed electrician master in this state for a period of two (2)~~  
18 ~~years; or a showing that the applicant possesses a certificate of license issued under the laws of~~  
19 ~~another state, based on training equal to that required by the state of Rhode Island. Limited-~~  
20 ~~registered apprentice electricians shall be required to work a minimum of four thousand (4,000)~~  
21 ~~hours over a period of time of not less than two (2) years.~~

22 (c) ~~Indentured apprentice maintenance electricians are required to work a minimum of six~~  
23 ~~thousand (6,000) hours over a period of time of not less than three (3) years and successfully~~  
24 ~~complete one hundred forty four (144) hours of related instruction per year in an indentured~~  
25 ~~apprenticeship program approved by the Rhode Island department of labor and training, to qualify~~  
26 ~~for the journey person "M" electrician examination. Provided, however, that the test applicant has~~  
27 ~~possessed for at least three (3) years prior to the filing of the application a certificate of registration~~  
28 ~~in full force and effect from the department of labor and training specifying the person as an~~  
29 ~~indentured apprentice, and the application of an applicant is accompanied by an affidavit or~~  
30 ~~affidavits of his or her employer or former employers or other reasonably satisfactory evidence~~  
31 ~~showing that the applicant has been actually engaged in electrical work as an apprentice in Rhode~~  
32 ~~Island during those three (3) years. Class M journey person electricians may qualify to take the~~  
33 ~~journey person "B" electrician examination upon registering as a fourth year apprentice and~~  
34 ~~becoming employed by a properly licensed Class A electrical contractor for that period of time.~~

1           (d) ~~Apprentice lightning protection installers are required to work a minimum of four~~  
2 ~~thousand (4,000) hours over a period of time of not less than two (2) years to qualify for the~~  
3 ~~lightning protection installer (LPI) examination. Provided, that the test applicant has possessed for~~  
4 ~~at least two (2) years prior to the filing of the application a certificate of registration in full force~~  
5 ~~and effect from the department of labor and training specifying the person as an apprentice~~  
6 ~~lightning protection installer, and the application of an applicant is accompanied by an affidavit or~~  
7 ~~affidavits of his or her employer or former employers or other reasonably satisfactory evidence~~  
8 ~~showing that the applicant has been actually engaged in lightning protection work as an apprentice~~  
9 ~~during those two (2) years.~~

10           **5-6-24.1. Apprentices certified by other states Reciprocal recognition of electrical**  
11 **apprentices registered in other states.**

12           ~~Any apprentice electrician holding an apprentice certificate, license, or equivalent~~  
13 ~~document issued by another state shall register with and obtain the approval of the division of~~  
14 ~~professional regulation in the department of labor and training prior to being permitted to work or~~  
15 ~~serve as an electrician's apprentice in this state. Provided, no approval shall be granted unless the~~  
16 ~~applicant demonstrates to the board that the applicant is currently enrolled in one hundred forty-~~  
17 ~~four (144) hours of electrical related classroom instruction per year for not less than four (4) years~~  
18 ~~in an indentured apprenticeship program approved by the department of labor and training. An~~  
19 ~~electrical apprentice registered with a registration agency outside of Rhode Island, as defined in 29~~  
20 ~~C.F.R. § 29.2, shall obtain reciprocal recognition from the department of labor and training pursuant~~  
21 ~~to § 28-45-16, prior to being permitted to work as an electrical apprentice in Rhode Island.~~

22           **5-6-34. Certification of electric sign contractors and electric sign installers.**

23           (a) After July 1, 1991, and at any time prior to January 1, 1992, the division of professional  
24 regulation within the department of labor and training shall, without examination, upon payment  
25 of the fees provided in this chapter, issue a "certificate ACF" or "certificate CF" to any applicant  
26 for the certificate who presents satisfactory evidence that he or she has the qualifications for the  
27 type of license applied for, and who has been engaged in the occupation or business of installing,  
28 servicing, maintaining, and testing of electric signs covered by the license within this state for a  
29 period of five (5) years in the case of a "certificate ACF" and three (3) years in the case of a  
30 "certificate CF" prior to July 1, 1991. Any person who, being qualified to obtain a "certificate ACF"  
31 or "certificate CF" under this section, is prevented from making application for it because of service  
32 in the armed forces of the United States during the period between July 1, 1991, and January 1,  
33 1992, has three (3) months after discharge to make an application. No person is liable for  
34 prosecution for making electric sign installations, services, maintenance, or tests, without a license

1 for the first six (6) months after July 1, 1991.

2 (b) Any ~~apprentice~~ electric sign installer in training having successfully completed a  
3 training period of not less than two (2) years is eligible to take a journeyperson's examination;  
4 provided, after September 1, 1995, and at any time prior to March 1, 1996, any apprentice employed  
5 and sponsored by a sign company is eligible to take a journeyperson's examination, notwithstanding  
6 the previously mentioned training period.

7 SECTION 2. Chapter 5-6 of the General Laws entitled "Electricians" is hereby amended  
8 by adding thereto the following sections:

9 **5-6-24.2. Apprentices -- Exam requirements.**

10 To be eligible for each class of electrical licensing exam, applicants must complete all the  
11 requirements of an applicable registered apprenticeship program in Rhode Island, except the  
12 licensing exam, or possess an electrician's license issued under the laws of another jurisdiction.  
13 Apprentices must submit to the division of professional regulation within the department of labor  
14 and training their transcripts of related technical instruction and the work record books from their  
15 employer(s) or other reasonably satisfactory evidence showing that the applicant successfully  
16 completed the instruction and on-the-job learning as enumerated in the applicable standards of  
17 apprenticeship found in § 28-45-9.

18 **5-6-24.3. Credit for electrical license exams.**

19 (a) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior  
20 learning or experience toward the term of the apprenticeship pursuant to chapter 45 of title 28 shall  
21 also require the written approval of the electrical board of examiners within the department of labor  
22 and training.

23 (b) The term of a time-based electrician (Class B) apprenticeship program shall be eight  
24 thousand (8,000) hours of on-the-job learning. The term of a time-based maintenance electrician  
25 (Class M) apprenticeship program shall be six thousand (6,000) hours of on-the-job learning.  
26 Lightning protection installers (LPI) in training are required to work a minimum of four thousand  
27 (4,000) hours of on-the-job learning.

28 (c) An apprentice who has successfully completed a course of electrical technology at an  
29 accredited college or university that provides a minimum of two hundred eighty-eight (288) hours  
30 of related technical academic instruction or is the recipient of an associate degree in electrical  
31 technology may be granted credit for two hundred eighty-eight (288) hours of related technical  
32 academic instruction toward completion of their apprenticeship.

33 (d) An apprentice who has successfully completed a course of study in a recognized trade  
34 school that provides a minimum of two hundred eighty-eight (288) hours of related technical

1 [academic instruction may be granted credit for two hundred eighty-eight \(288\) hours of related](#)  
2 [technical academic instruction toward completion of their apprenticeship.](#)

3 [\(e\) An apprentice who is the recipient of an associate degree in electrical technology may](#)  
4 [also be granted credit by an apprenticeship sponsor for up to fifty percent \(50%\) of the required on-](#)  
5 [the-job learning credits toward completion of their apprenticeship.](#)

6 [\(f\) Sponsors may grant credit toward completion of an apprenticeship for one hundred](#)  
7 [forty-four \(144\) hours of related technical academic instruction for relevant technical academic](#)  
8 [instruction completed in a high school electrical technology program, pursuant to § 28-45-9, with](#)  
9 [the written approval of the state board of examiners of electricians.](#)

10 SECTION 3. Section 5-20-5 of the General Laws in Chapter 5-20 entitled "Plumbers,  
11 Irrigators, and Water System Installers" is hereby amended to read as follows:

12 **5-20-5. "Apprentice plumber" defined.**

13 "Apprentice plumber," as used in this chapter, means any employee; [who is registered as](#)  
14 [an apprentice plumber in accordance with chapter 45 of title 28 and](#) whose principal occupation is  
15 service with a master plumber with a view to learning the art or trade of maintenance, installation,  
16 or repair of plumbing, as defined in § 5-20-2.

17 SECTION 4. Chapter 5-20 of the General Laws entitled "Plumbers, Irrigators, and Water  
18 System Installers" is hereby amended by adding thereto the following sections:

19 **5-20-5.3. Apprentices -- Exam requirements.**

20 [To be eligible for the plumbing licensing exam, applicants must complete eight thousand](#)  
21 [\(8,000\) hours of on-the-job learning and five hundred seventy-six \(576\) hours of related instruction](#)  
22 [at a training program recognized by the department of labor and training or must possess a](#)  
23 [plumber's license issued under the laws of another jurisdiction. Apprentices must submit to the](#)  
24 [division of professional regulation within the department of labor and training their transcripts of](#)  
25 [related technical instruction and the work record books from their employer\(s\) or other reasonably](#)  
26 [satisfactory evidence showing that the applicant successfully completed the necessary instruction](#)  
27 [and on-the-job learning.](#)

28 **5-20-5.4. Credit for plumbing license exams.**

29 [\(a\) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior](#)  
30 [learning or experience toward the term of the apprenticeship shall also require the written approval](#)  
31 [of the state board of examiners of plumbers within the department of labor and training.](#)

32 [\(b\) An apprentice who has successfully completed a course of plumbing at an accredited](#)  
33 [college or university that provides a minimum of two hundred eighty-eight \(288\) hours of related](#)  
34 [technical academic instruction or is the recipient of an associate degree in plumbing may be granted](#)

1 credit for two hundred eighty-eight (288) hours of related technical academic instruction toward  
2 completion of their apprenticeship.

3 (c) An apprentice who has successfully completed a course of study in a recognized trade  
4 school that provides a minimum of two hundred eighty-eight (288) hours of related technical  
5 academic instruction may be granted credit for two hundred eighty-eight (288) hours of related  
6 technical academic instruction toward completion of their apprenticeship.

7 (d) An apprentice who is the recipient of an associate degree in plumbing may also be  
8 granted credit by an apprenticeship sponsor for up to fifty percent (50%) of the required on-the-job  
9 learning credits toward completion of their apprenticeship.

10 (e) Sponsors may grant credit toward completion of an apprenticeship for one hundred  
11 forty-four (144) hours of related technical academic instruction for relevant technical academic  
12 instruction completed in a high school plumbing program, with the written approval of the state  
13 board of examiners of plumbers within the department of labor and training.

14 SECTION 5. Section 5-20-17 of the General Laws in Chapter 5-20 entitled "Plumbers,  
15 Irrigators, and Water System Installers" is hereby amended to read as follows:

16 **5-20-17. ~~Qualifications of journeyperson -- Application fee~~ Journeyperson license --**  
17 **Test fees -- License fees and qualifications -- Filing deadline for journeyperson.**

18 (a) No application for a journeyperson's license shall be filed at the department of labor  
19 and training, nor shall any applicant be permitted to take the examination for a license as a  
20 journeyperson plumber, unless:

21 (1) The application is accompanied by a nonrefundable application fee of seventy-five  
22 dollars (\$75.00); and

23 (2) The applicant shall have possessed, ~~for at least four (4) years prior to the filing of the~~  
24 ~~application,~~ a certificate of registration in full force and effect from the department of labor and  
25 training specifying that person as a registered apprentice plumber ~~and the application of that~~  
26 ~~applicant is accompanied with an affidavit or affidavits of his or her employer or former employers~~  
27 ~~or other reasonably satisfactory evidence showing that the applicant has been actually engaged in~~  
28 ~~plumbing work as an apprentice plumber in the state of Rhode Island for eight thousand (8,000)~~  
29 ~~hours of on the job training during a five year (5) period, which shall include the successful~~  
30 ~~completion of five hundred seventy six (576) hours of related instruction at a training program~~  
31 ~~recognized by the department of labor and training; provided, however, the apprentice may receive~~  
32 ~~credit for one hundred forty four (144) hours of classroom training applied against the five hundred~~  
33 ~~seventy six (576) hours required pursuant to this section, gained in a vocational school authorized~~  
34 ~~by the council on elementary and secondary education; and approved by the Rhode Island~~

1 ~~department of labor and training state apprenticeship council.~~ having successfully completed all  
2 the requirements for completion of the apprenticeship except the licensing exam; and

3 (3) ~~The application is accompanied with an affidavit or other reasonably satisfactory~~  
4 ~~evidence showing that the applicant has been a registered student in a recognized college,~~  
5 ~~university, or trade school and has pursued a course of plumbing or sanitary engineering for at least~~  
6 ~~two (2) academic years; or~~ The applicant provides documentation of related technical instruction  
7 and work records from his or her employer or former employers or other reasonably satisfactory  
8 evidence showing that the applicant has successfully completed the related and necessary  
9 instruction and on-the-job learning.

10 ~~(4) The applicant is the recipient of an associate degree in either plumbing or sanitary~~  
11 ~~engineering, and has been registered by the department of labor and training as an apprentice~~  
12 ~~plumber for at least two (2) years and at all times while being employed as a registered apprentice~~  
13 ~~plumber by a duly licensed master plumber in this state for a period of two (2) years; or~~

14 ~~(5)(b) Alternatively, the application for a journeyman's test shall be~~ The application is  
15 accompanied by an affidavit or other reasonably satisfactory evidence showing that the applicant  
16 possesses a certificate of license, issued under the laws of another state, provided that the Rhode  
17 Island requirements are the same or are substantially the same as in the state specifying that person  
18 as a journeyman plumber.

19 ~~(6)(c)~~ The records of the hours of on-the-job training learning and the hours of related  
20 instruction should be maintained in a mutually responsible manner, through a joint effort on the  
21 part of the master plumber and the apprentice.

22 ~~(7)(d)~~ The completed application is to be filed with the department of labor and training at  
23 least fifteen (15) days prior to the examination date.

24 SECTION 6. Section 5-70-5 of the General Laws in Chapter 5-70 entitled  
25 "Telecommunications" is hereby amended to read as follows:

26 **5-70-5. Form of license and registration.**

27 Three (3) major forms of license shall be issued with the two (2) higher licenses carrying  
28 certification for one or more of the four (4) ~~category(s)~~ categories, as defined within this chapter,  
29 for which qualified:

30 (1) Telecommunications system contractor.

31 (i) TSC license shall be issued to any person qualified under this chapter representing  
32 themselves, individually, or a firm or corporation engaging in, or about to engage in, the business  
33 of designing, installing, altering, servicing, and/or testing telecommunications systems.

34 (ii) Qualification shall be evidenced by passing the examination(s) for any or all of the

1 categories of telecommunications systems described in this chapter, and applicants who hold an  
2 equivalent out-of-state license, as determined by this board, issued by another state shall be allowed  
3 to take the Rhode Island form TSC license examination. Applicants for TSC license who hold no  
4 equivalent form of TSC license issued in another state and show evidence of three (3) years of  
5 verifiable and continuous contracting experience, immediately preceding the date of application  
6 and are registered to conduct business in the state of Rhode Island, will be allowed to take the  
7 Rhode Island form of TSC examination. Applicants who do not meet these qualifications shall have  
8 been licensed as a Rhode Island ~~telecommunication~~ [telecommunications](#) systems technician for a  
9 minimum of three (3) consecutive years, immediately preceding the date of application, in order to  
10 qualify to take the TSC examination, and shall have been registered to conduct business in the state  
11 of Rhode Island.

12 (iii) The holding of a TSC license shall entitle the holder individually to contract for,  
13 engage in, and/or perform the actual work of designing, installing the type(s) of  
14 telecommunications systems for which they were granted certification. No individual shall be  
15 required to hold more than one form of license.

16 (2) Telecommunications systems technician.

17 (i) TST license shall be issued to any person who passes the examination(s) as defined  
18 within this chapter for any or all of the categories of telecommunications systems described in this  
19 chapter.

20 (ii) The holding of a TST license shall entitle the holder individually to perform the actual  
21 work of installing, altering, servicing, and/or testing the type(s) of telecommunications systems for  
22 which they were granted certification. All the work performed shall be under the supervision of the  
23 holder of a TSC license.

24 (3) Telecommunications system limited installer.

25 (i) TSLI license shall be issued to any person who passes the examination as defined within  
26 this chapter and as described in this section.

27 (ii) The holding of a TSLI license shall entitle the holder to perform the actual work of  
28 installation of wiring, low-voltage surface raceway, enclosures, and wiring devices directly  
29 associated with a telecommunications system. Connection to, installation of, or servicing of  
30 telecommunications devices shall only be performed under the direct supervision of a holder of a  
31 TST or TSC license.

32 (4) ~~Trainee/telecommunication apprentice~~ [Telecommunications trainees](#).

33 (i) Registered ~~trainees/telecommunications apprentices~~ [telecommunications trainees](#) may  
34 be employed to perform the actual work of installation of wiring, low-voltage surface raceway,



1 enclosures, and wiring devices directly associated with a telecommunications system under the  
2 direct supervision of a holder of a TST or TSC license.

3 (ii) ~~Trainees/telecommunication apprentices~~ Telecommunications trainees shall be  
4 required to register with the licensing authority subsequent to employment by a person, firm, or  
5 corporation licensed as a TSC under this chapter; and prior to being permitted to perform any actual  
6 installation work.

7 (iii) The registered ~~trainee/telecommunication apprentice~~ telecommunications trainees  
8 shall not be permitted to make connection to, install, or service telecommunications devices. No  
9 more than two (2) registered ~~trainees/telecommunication apprentices~~ telecommunications trainees  
10 can be directly supervised by a single TSC or TST license holder.

11 SECTION 7. The title of Chapter 28-3 of the General Laws entitled "Employment of  
12 Women and Children" is hereby amended to read as follows:

13 ~~CHAPTER 28-3~~

14 ~~Employment of Women and Children~~

15 CHAPTER 28-3

16 EMPLOYMENT OF MINORS

17 SECTION 8. Section 28-3-18 of the General Laws in Chapter 28-3 entitled "Employment  
18 of Women and Children" is hereby amended to read as follows:

19 **28-3-18. Enforcement of provisions -- Prosecution of violations.**

20 The division of labor standards has full power to enforce §§ 28-3-1 -- 28-3-20, and has all  
21 the powers of the division of compliance inspection insofar as those powers relate to and affect  
22 ~~women and children~~ minors. All actions, suits, complaints, and prosecutions for the violation of  
23 any of the provisions of these sections shall be brought by and in the name of the director of labor  
24 and training or the chief of the division of labor standards in the department of labor and training;  
25 or by and in the name of any duly authorized representative of the director of labor and training.

26 SECTION 9. Chapter 28-4 of the General Laws entitled "Indenture of Apprentices" is  
27 hereby repealed in its entirety.

28 ~~CHAPTER 28-4~~

29 ~~Indenture of Apprentices~~

30 ~~**28-4-1. Power of minor to execute indenture.**~~

31 ~~Any minor being sixteen (16) years of age or over, or who, being under sixteen (16) years~~  
32 ~~of age, has a limited permit to work given him or her by or under the direction of the school~~  
33 ~~committee where the minor resides under the provisions of chapter 3 of this title, may, by execution~~  
34 ~~of an indenture, bind himself or herself as provided in this chapter, for a term of service of not less~~

1 ~~than one year.~~

2 **28-4-2. Parties to sign indenture.**

3 Every indenture shall be signed:

4 (1) By the minor;

5 (2) By the parents, or either one of them, as the natural guardians or guardian of the minor;

6 ~~or by the duly appointed legal guardian of the person, or of the person and estate of the minor, if~~  
7 ~~any; or by the person having the legal custody of the minor;~~

8 (3) ~~By the employer.~~

9 **28-4-3. Contents of indenture.**

10 Every indenture shall contain:

11 (1) ~~The names of the parties;~~

12 (2) ~~The date of birth of the minor;~~

13 (3) ~~A statement of the trade, craft, or business which the minor is to be taught;~~

14 (4) ~~An agreement that a certificate shall be given to the apprentice at the conclusion of his~~  
15 ~~or her indenture, stating that he or she has completed the apprenticeship under the indenture.~~

16 **28-4-4. Deeds in triplicate.**

17 ~~In every case there shall be three (3) deeds in the same form and tenor, executed by all~~  
18 ~~parties, one to be kept by each party.~~

19 **28-4-5. Effect of indenture as against parties.**

20 ~~All indentures made in accordance with the provisions of §§ 28-4-1—28-4-4 shall be good~~  
21 ~~and effectual in law against all parties and the minor engaged by them, according to their tenor,~~  
22 ~~except as to any of their provisions that the court, in which any suit or controversy relating to the~~  
23 ~~articles of indenture may be heard, shall determine to be unjust or unreasonable.~~

24 **28-4-6. Petition or complaint for breach of indenture -- Summons.**

25 ~~Whenever a petition or complaint in writing and under oath is made to any judge of the~~  
26 ~~district court that any master or apprentice, within a division where the court is situated, has~~  
27 ~~willfully neglected or refused to comply with or perform the terms and provisions of any indenture,~~  
28 ~~the judge, if satisfied that there is a reasonable cause for the petition or complaint, shall issue a~~  
29 ~~summons requiring the master or apprentice to appear before the court at a time and place named~~  
30 ~~in the summons to answer relative to the petition or complaint. The petitioner or complainant shall~~  
31 ~~cause the summons to be served by some officer qualified to serve civil process upon the person~~  
32 ~~complained of at least six (6) days before the time set for appearance and hearing by reading the~~  
33 ~~summons to the person to be served, or by leaving an attested copy of it with the person to be served~~  
34 ~~in his or her hands and possession, or at his or her last and usual place of abode with some person~~

1 ~~living there, or if the person to be served is a corporation, then, by leaving an attested copy of the~~  
2 ~~summons with some officer of the corporation or at the office of the corporation with some person~~  
3 ~~employed there.~~

4 ~~**28-4-7. Determination of petition or complaint -- Enforcement of order.**~~

5 ~~Upon the hearing of a petition or complaint, the court may determine the controversy or~~  
6 ~~matter complained of in a summary way, and discharge either party from the indenture and contract~~  
7 ~~of apprenticeship, and may make any further order in the premises that the case may require and~~  
8 ~~seems proper to the court. Any neglect or failure of any person, against whom any order is made,~~  
9 ~~to do, perform, or comply with the order shall be contempt of court, and the court may enforce its~~  
10 ~~order by proceedings for contempt.~~

11 SECTION 10. Chapter 28-27 of the General Laws entitled "Mechanical Trades" is hereby  
12 amended by adding thereto the following sections:

13 **28-27-1.3. Apprentices -- Exam requirements.**

14 To be eligible for each licensing exam in the mechanical trades, applicants must complete  
15 all the requirements of an applicable registered apprenticeship program in Rhode Island, except the  
16 licensing exam, or possess the equivalent or substantially equivalent license issued under the laws  
17 of another jurisdiction. Apprentices must submit to the division of professional regulation within  
18 the department of labor and training their transcripts of related technical instruction and the work  
19 record books from their employer(s) or other reasonably satisfactory evidence showing that the  
20 applicant successfully completed the instruction and on-the-job learning as enumerated in the  
21 applicable standards of apprenticeship found in § 28-45-9.

22 **28-27-1.4. Credit for mechanical trades license exams.**

23 (a) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior  
24 learning or experience toward the term of the apprenticeship pursuant to chapter 45 of title 28 shall  
25 also require the written approval of the mechanical board within the department of labor and  
26 training.

27 (b) An apprentice who has successfully completed a course at an accredited college or  
28 university of pipefitting or refrigeration/air conditioning, sheet metal, or fire protection sprinkler  
29 systems that provides a minimum of two hundred eighty-eight (288) hours of related technical  
30 academic instruction or is the recipient of an associate degree in pipefitting, refrigeration/air  
31 conditioning, or fire protection sprinkler systems may be granted credit for two hundred eighty-  
32 eight (288) hours of related technical academic instruction toward completion of their  
33 apprenticeship.

34 (c) An apprentice who has successfully completed a course of study in a recognized trade

1 school that provides a minimum of two hundred eighty-eight (288) hours of related technical  
2 academic instruction in pipefitting, refrigeration/air conditioning, sheet metal, or fire protection  
3 sprinkler systems may be granted credit for two hundred eighty-eight (288) hours of related  
4 technical academic instruction toward completion of their apprenticeship.

5 (d) An apprentice who is the recipient of an associate degree in pipefitting, refrigeration/air  
6 conditioning, or fire protection sprinkler systems may also be granted credit by an apprenticeship  
7 sponsor for up to fifty percent (50%) of the required on-the-job learning credits toward completion  
8 of their apprenticeship.

9 (e) Sponsors may grant credit toward completion of an apprenticeship for one hundred  
10 forty-four (144) hours of related technical academic instruction for relevant technical academic  
11 instruction completed in a high school mechanical trades program, pursuant to § 28-45-9, with the  
12 written approval of the mechanical board within the department of labor and training.

13 SECTION 11. Sections 28-27-4.1, 28-27-4.2, 28-27-4.3, 28-27-5.1, 28-27-5.2, 28-27-11  
14 and 28-27-18 of the General Laws in Chapter 28-27 entitled "Mechanical Trades" are hereby  
15 amended to read as follows:

16 **28-27-4.1. "Journeyperson refrigeration technician" defined.**

17 "Journeyperson refrigeration technician" means any person who has completed a ~~five (5)~~  
18 ~~year apprentice program~~ ten thousand (10,000) hour registered apprenticeship program and/or has  
19 passed a refrigeration technician examination and who by ~~him~~ himself or herself does work in  
20 refrigeration/air conditioning subject to provisions of this chapter and the rules, regulations, and  
21 licensing criteria promulgated hereunder.

22 **28-27-4.2. "Journeyperson pipefitter," "journeyperson sprinkler fitter," and**  
23 **"journeyperson sheet metal worker" defined.**

24 (a) "Journeyperson pipefitter" means any person who has completed a ~~five (5) year~~  
25 ~~apprentice program~~ ten thousand (10,000) hour registered apprenticeship program and/or has  
26 passed a journeyperson examination and who by himself or herself does work on pipefitting  
27 systems subject to provisions of this chapter. The rules, regulations, and licensing criteria guide  
28 promulgated under this chapter referencing Class II limited journeyperson licenses shall require  
29 completion of an ~~accepted formal technical program approved~~ apprenticeship program registered  
30 with ~~by~~ the department of labor and training.

31 (b) "Journeyperson sheet metal worker" means any person who has completed a ~~four (4)~~  
32 ~~year apprentice program~~ an eight thousand (8,000) hour registered apprenticeship program and/or  
33 has passed a journeyperson sheet metal worker examination and who by himself or herself does  
34 sheet metal work subject to provisions of this chapter and the rules, regulations, and licensing

1 criteria promulgated under this chapter.

2 (c) "Journeyman sprinkler fitter" means any person who has completed ~~a four (4) year~~  
3 ~~apprentice program~~ an eight thousand (8,000) hour registered apprenticeship program and/or has  
4 passed a journeyman sprinkler fitter examination and who by himself or herself does work in fire  
5 protection sprinkler systems subject to provisions of this chapter and the rules, regulations, and  
6 licensing criteria promulgated under this chapter.

7 **28-27-4.3. "Pipefitter apprentice," "refrigeration/air conditioning apprentice,"**  
8 **"journeyman sprinkler fitter apprentice," and "journeyman sheet metal worker**  
9 **apprentice" defined -- Duration of apprentice programs.**

10 (a) "~~Journeyman sheet~~ Sheet metal worker apprentice" means any person at least  
11 eighteen (18) years of age who is learning or working at the ~~businesses~~ business of sheet metal  
12 work under the direct supervision of a sheet metal contractor or journeyman sheet metal worker  
13 ~~under a~~ and is registered ~~state sanctioned as a sheet metal worker~~ apprentice, program in accordance  
14 with chapter 45 of title 28.

15 (b) "~~Journeyman sprinkler~~ Sprinkler fitter apprentice" means any person at least eighteen  
16 (18) years of age who is learning or working at the business of fire protection sprinkler systems  
17 under the direct supervision of a master or journeyman sprinkler fitter ~~under a~~ and is registered  
18 ~~state sanctioned as a sprinkler fitter~~ apprentice, in accordance with chapter 45 of title 28 program.

19 (c) "Pipefitter apprentice" means any person at least eighteen (18) years of age who is  
20 learning or working at the business of pipefitting under the direct supervision of a master pipefitter  
21 or journeyman pipefitter ~~under a~~ and is registered as a pipefitter ~~state sanctioned~~ apprentice, in  
22 accordance with chapter 45 of title 28 program.

23 (d) ~~Pipefitter, refrigeration, sprinkler fitter and sheet metal worker apprentice programs are~~  
24 ~~of a five (5) year duration, except as detailed in § 28-27-4.2, for all Class II limited licenses.~~

25 (e) "Refrigeration/air conditioning apprentice" means any person at least eighteen (18)  
26 years of age who is learning ~~and~~ or working at the business of refrigeration/air conditioning as a  
27 refrigeration/air conditioning registered apprentice under the direct supervision of a  
28 refrigeration/air conditioning master or journeyman ~~under a registered state sanctioned~~  
29 ~~apprentice, in accordance with chapter 45 of title 28 program.~~

30 **28-27-5.1. Practices for which a journeyman or apprentice license required**  
31 **Practices for which a journeyman license or apprentice registration is required.**

32 (a) No person shall engage to work as a pipefitter, refrigeration/air conditioning, or  
33 sprinkler fitter journeyman or apprentice, or journeyman sheet metal worker or apprentice, or  
34 shall advertise or represent in any form or ~~matter~~ manner that he or she is a journeyman or

1 apprentice, unless that person possesses and carries on his or her person at all times while so  
2 engaged a valid license [or registration](#) issued by the department of labor and training qualifying  
3 that person as a journeyman or apprentice.

4 (b) A person holding a valid license under this chapter shall not be required to obtain an  
5 additional license under this chapter to perform sheet metal work when AC air handling equipment  
6 is ten (10) tons or less or when heating equipment does not exceed 250,000 BTUs.

7 (c) A holder of a journeyman license shall only be entitled to work as an employee of  
8 the properly licensed master permit holder in accordance with this chapter.

9 **28-27-5.2. Issuance of P.J.F. journeyman oil burnerperson's license.**

10 (a) Any person who has previously qualified for the electrician's F certificate and the P.J.F.  
11 II limited to oil individually, and presently holds both licenses, may convert to the single P.J.F.  
12 limited journeyman II oil burnerperson's license by application to the division [of professional](#)  
13 [regulation within the department of labor and training](#) on an approved application and with payment  
14 of the applicable fee as detailed in this section. This licensee cannot be self-employed and is limited  
15 to domestic oil burner service work, burner, tank, and oil line installation. Persons seeking an initial  
16 P.J.F. limited journeyman II oil burner license must show proof of completion of a ~~trade~~  
17 ~~sponsored~~ [registered apprenticeship](#) program or a ~~trade-related~~ [trade-related](#) program offered by a  
18 ~~recognized~~ [an accredited](#) college [or university or a recognized trade school](#). All programs must  
19 have prior approval of the department of labor and training before licenses are issued.

20 (b) The person seeking P.J.F. licensing must be employed by a master pipefitting contractor  
21 class II as detailed under § 28-27-4.

22 (c) The above provisions are similar for most limited licenses under chapter 27 of this title.

23 (d) Fees shall be as follows:

- 24 (1) ~~Apprenticeship fee is thirty dollars (\$30.00) with birth-month licensing;~~  
25 (2) License fee is seventy-two dollars (\$72.00) with birth-month licensing;  
26 (3) Renewal fee is seventy-two dollars (\$72.00) with birth-month licensing;

27 (e) The fees collected shall be deposited as general revenues.

28 **28-27-11. Journeyman license -- Test fees -- License fees and qualifications -- Filing**  
29 **deadline for journeyman.**

30 (a) No application for a journeyman's test shall be filed ~~by~~ [at](#) the department [of labor and](#)  
31 [training](#), nor shall any applicant be permitted to take the examination for a license as a  
32 journeyman, unless:

33 (1) The test application is accompanied by a test fee as outlined in § 28-27-17; ~~;~~

34 (2) [The applicant is a registered apprentice in accordance with chapter 45 of title 28 having](#)

1 successfully completed all the requirements for completion of the apprenticeship except the  
2 licensing exam; and

3 (3) The applicant provides documentation of related technical instruction and work records  
4 from his or her employer or former employers or other reasonably satisfactory evidence showing  
5 that the applicant has successfully completed the related instruction and on-the-job learning as  
6 enumerated in the standards of apprenticeship.

7 ~~(3) The applicant has possessed for at least five (5) years prior to the filing of the~~  
8 ~~application a certificate of registration in full force and effect from the department of labor and~~  
9 ~~training specifying the person as a registered apprentice, and the application of an applicant:~~

10 ~~(i) Is accompanied by an affidavit or affidavits of his or her employer or former employers~~  
11 ~~or other reasonably satisfactory evidence showing that the applicant has been actually engaged in~~  
12 ~~pipefitting or refrigeration/air conditioning, sheet metal or fire protection sprinkler systems work~~  
13 ~~as an apprentice in the state of Rhode Island during those five (5) years;~~

14 ~~(ii) Is accompanied by an affidavit or other reasonably satisfactory evidence showing that~~  
15 ~~the applicant has been registered as a student in a recognized college, university, or trade school~~  
16 ~~and has pursued a course of pipefitting or refrigeration/air conditioning, sheet metal or fire~~  
17 ~~protection sprinkler systems for at least two (2) academic years or is the recipient of an associate~~  
18 ~~degree in pipefitting or refrigeration/air conditioning or fire protection sprinkler systems, and has~~  
19 ~~thereafter been registered by the department of labor and training as an apprentice for at least three~~  
20 ~~(3) years and employed as a registered apprentice by a duly licensed pipefitter or refrigeration/air~~  
21 ~~conditioning or fire protection sprinkler systems master or sheet metal contractors in this state for~~  
22 ~~a period of three (3) years; or~~

23 ~~(iii) Is~~ (b) Alternatively, the application for a journeyperson's test shall be accompanied by  
24 an affidavit or other reasonably satisfactory evidence showing that the applicant possesses a  
25 certificate of license issued under the laws of another state specifying that person as a  
26 journeyperson.

27 ~~(4) The licensing authority may grant an exemption to the requirements of subdivision~~  
28 ~~(a)(3) on the basis of past experience.~~

29 ~~(b)(c) Any~~ The test application is to be filed with the department of labor and training at  
30 least fifteen (15) days prior to the examination date.

31 ~~(2)(d)~~ Upon passing of a journeyperson test, payment of a license fee as outlined in § 28-  
32 27-17 is required, and the journeyperson license ~~will~~ shall be issued as provided in § 28-27-15.

33 **28-27-18. Registration of apprentices.**

34 (a) ~~Any person who has agreed to work under the supervision of a licensed pipefitter,~~

1 ~~refrigeration/air conditioning, sprinkler fitter or sheet metal master under a state sanctioned~~  
2 ~~apprenticeship program~~ Apprentices shall be registered by the director of labor and training, in  
3 accordance with chapter 45 of title 28, and be issued a certificate of apprenticeship.

4 (b) The minimum formal training period for a P.J.F. limited class II license shall be one  
5 hundred sixty (160) hours of classroom and/or laboratory technical training, approved by the  
6 department of labor and training as part of standards of apprenticeship. The fee schedules for the  
7 P.J.F. limited license are detailed in § 28-27-5.2. All other sections of this chapter shall remain in  
8 full force and effect.

9 SECTION 12. Sections 28-45-1, 28-45-3, 28-45-9, 28-45-10, 28-45-11, 28-45-13, 28-45-  
10 14 and 28-45-16 of the General Laws in Chapter 28-45 entitled "Apprenticeship Programs in Trade  
11 and Industry" are hereby amended to read as follows:

12 **28-45-1. Purposes.**

13 The purposes of this chapter are:

14 (1) To encourage employers, associations of employers, and organizations of employees to  
15 voluntarily establish apprenticeship programs and the making of apprenticeship agreements;

16 (2) To create opportunities for ~~young~~ people to obtain employment and adequate training  
17 in trades and industry with parallel instructions in related and supplementary education under  
18 conditions that will equip them for profitable employment and citizenship;

19 (3) To cooperate with the promotion and development of apprenticeship programs and  
20 systems in other states and with the federal committee on apprenticeship appointed under 29 U.S.C.  
21 § 50 et seq.; and

22 (4) To provide for the registration and approval of apprenticeship programs and  
23 apprenticeship agreements and for the issuance of state certificates of completion of apprenticeship.

24 **28-45-3. Powers and duties.**

25 (a) The department of labor and training is the agency with responsibility and  
26 accountability for apprenticeship within Rhode Island for federal purposes. The state  
27 apprenticeship council shall be a regulatory council and part of the department of labor and training.  
28 The council shall promulgate regulations consistent with 29 C.F.R. 29 and 30 at the direction of  
29 the director of the department of labor and training and shall provide advice and guidance to the  
30 director of the department of labor and training on the operation of the Rhode Island apprenticeship  
31 ~~program~~ system. Enforcement of apprenticeship rules and regulations shall be the duty of the  
32 director of the department of labor and training. In addition, the council shall:

33 (1) Adopt rules and regulations to ~~insure~~ ensure equality of opportunity in apprenticeship  
34 programs pursuant to the Rhode Island state plan for equal opportunity in apprenticeship;



- 1 (2) Establish trade, craft, manufacturing, or industrial standards for apprenticeship or  
2 training agreements in cooperation with a joint employer and employee groups in conformity with  
3 29 C.F.R. § 29.5;
- 4 (3) Establish program performance standards in conformity with 29 C.F.R. § 29.6;
- 5 (4) Hold at least four (4) regular public meetings each year; any additional meetings  
6 considered necessary shall be held at the call of the chairperson, or at the written request of a  
7 majority of the members of the council;
- 8 (5) Formulate and publish rules of procedure for the function of local, regional, and state  
9 joint apprenticeship committees and for the filling of vacancies on those committees;
- 10 (6) Adopt rules and regulations concerning the following:
- 11 (i) The contents of apprenticeship agreements in conformity with 29 C.F.R. § 29.7;
- 12 (ii) Criteria for apprenticeable occupations as provided by 29 C.F.R. § 29.4;
- 13 (iii) Reciprocal ~~approval~~ recognition for federal purposes to apprentices, apprenticeship  
14 programs, and apprenticeship standards that are registered in other states by the U.S. department of  
15 labor or another state apprenticeship program recognized by the U.S. department of labor if such  
16 reciprocity is requested by the apprenticeship program sponsor;
- 17 (iv) The cancellation and/or deregistration of programs, and for temporary suspension,  
18 cancellation, and/or deregistration of apprenticeship agreements, as provided in 29 C.F.R. §§ 29.8  
19 and 29.9;
- 20 (v) The standards of apprenticeship, program performance standards, apprenticeship  
21 agreements, deregistration of registered apprenticeship programs, reinstatement of apprenticeship  
22 programs, and reciprocal ~~approval~~ recognition of apprentices from other states.
- 23 (b) The department of labor and training in ~~aeoord~~ accordance with its regulations and this  
24 chapter shall:
- 25 (1) Encourage the promotion, expansion, and improvement of programs of apprenticeship  
26 training and pre-apprenticeship and the making of apprenticeship agreements;
- 27 (2) Bring about the settlement of differences arising out of an apprenticeship agreement  
28 when those differences cannot be adjusted locally or in accordance with established trade  
29 procedure;
- 30 (3) Supervise the execution of agreements and maintenance of standards;
- 31 (4) Register or terminate or cancel the registration of apprenticeship programs and  
32 apprenticeship agreements;
- 33 (5) Issue certificates of completion of apprenticeship;
- 34 (6) Keep a record of apprenticeship programs and apprentice agreements and their

1 disposition;

2 (7) Render any assistance and submit any information and data that may be requested by  
3 employers, employees, and joint apprenticeship committees engaged in the formulation and  
4 operation of programs of apprenticeship, particularly in regard to work schedules, wages,  
5 conditions of employment, apprenticeship records, and number of apprentices;

6 (8) Adopt rules and regulations to ~~insure~~ ensure nondiscrimination in all phases of  
7 apprenticeship and employment during apprenticeship;

8 (9) Register trade, craft, manufacturing, or industrial standards for apprenticeship or  
9 training agreements in cooperation with joint employer and employee groups and in conformity  
10 with this chapter, or approve and register trade, craft, manufacturing, or industrial standards for  
11 agreements submitted ~~which~~ that are in conformity with this chapter, and disapprove those  
12 standards or agreements submitted ~~which~~ that are not in conformity with this chapter, to the extent  
13 deemed appropriate;

14 (10) Establish committees and approve nominations to existing committees ~~which~~ that are  
15 submitted in conformity with this chapter;

16 (11) Terminate registration of committees for failure of the committee to abide by the  
17 provisions of this chapter; and

18 (12) Perform any other duties that are described and imposed by this chapter.

19 **28-45-9. Standards of apprenticeship programs.**

20 An apprenticeship program, to be eligible for approval and registration with the department  
21 of labor and training, shall conform to regulations issued by the department of labor and training  
22 and 29 C.F.R. 29 and 29 C.F.R. 30 and shall conform to the following standards:

23 (1) The apprenticeship program is an organized, written plan embodying the terms and  
24 conditions of employment, training, and supervision of one or more apprentices in the  
25 apprenticeable occupation, as defined in this chapter and subscribed to by a sponsor who has  
26 undertaken to carry out the ~~apprentice training~~ apprenticeship program.

27 (2) The program standards contain the equal opportunity pledge prescribed in 29 C.F.R §  
28 30.3~~(b)~~(c) and, when applicable, an affirmative action plan in accordance with 29 C.F.R. § 30.4, a  
29 selection method authorized in 29 C.F.R § ~~30.5~~ 30.10, or similar requirements expressed in a state  
30 plan for equal employment opportunity in apprenticeship adopted pursuant to 29 C.F.R. Part 30  
31 and approved by the U.S. department of labor, and provisions concerning the following:

32 (i) The employment and training of the apprentice in a skilled occupation;

33 (ii) A term of apprenticeship not less than two thousand (2,000) hours of work experience,  
34 consistent with training requirements as established by industry practice, which for an individual

1 apprentice may be measured either through the completion of the industry standard for on-the-job  
2 learning (at least two thousand (2,000) hours) (time-based approach), the attainment of competency  
3 (competency-based approach), or a blend of the time-based and competency-based approaches  
4 (hybrid approach):

5 (A) The time-based approach measures skill acquisition through the individual apprentice's  
6 completion of at least two thousand (2,000) hours of on-the-job learning as described in a work  
7 process schedule;

8 (B) The competency-based approach measures skill acquisition through the individual  
9 apprentice's successful demonstration of acquired skills and knowledge, as verified by the program  
10 sponsor. Programs utilizing this approach must still require apprentices to complete an on-the-job  
11 learning component of registered apprenticeship. The program standards must address how on-the-  
12 job learning will be integrated into the program, describe competencies, and identify an appropriate  
13 means of testing and evaluation for such competencies;

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

17 (D) The determination of the appropriate approach for the program standards is made by  
18 the program sponsor, subject to approval by the registration agency of the determination as  
19 appropriate to the apprenticeable occupation for which the program standards are registered.

20 (iii) An outline of the work processes in which the apprentice will receive supervised work  
21 experience and training on the job, and the allocation of the approximate time to be spent in each  
22 major process;

23 (iv) Provision for organized, related, and supplemental instruction in technical subjects  
24 related to the trade. A minimum of one hundred forty-four (144) hours for each year of  
25 apprenticeship is recommended. This instruction in technical subjects may be accomplished  
26 through media, such as classroom, occupational or industry courses, electronic media, or other  
27 instruction approved by the department of labor and training; every apprenticeship instructor must:

28 (A) Meet the Rhode Island department of elementary and secondary education  
29 requirements for a ~~vocational-technical~~ [career and technical education](#) instructor, or be a subject  
30 matter expert, which is an individual, such as a journey worker, who is recognized within an  
31 industry as having expertise in a specific occupation; and

32 (B) Have training in teaching techniques and adult learning styles, which may occur before  
33 or after the apprenticeship instructor has started to provide the related technical instruction.

34 (v) A statement of the progressively increasing scale of wages to be paid the apprentice

1 consistent with the skill acquired, the entry wage to be not less than the minimum wage prescribed  
2 by the federal and state labor standards act, where applicable, unless a higher wage is required by  
3 other applicable federal law, state law, respective regulations, or by collective bargaining  
4 agreement;

5 (vi) A provision for periodic review and evaluation of the apprentice's progress in job  
6 performance and related instruction, and the maintenance of appropriate progress records;

7 (vii) The numeric ratio of apprentices to journeypersons consistent with proper supervision,  
8 training, safety, and continuity of employment, and applicable provisions in collective bargaining  
9 agreements, except where the ratios are expressly prohibited by the collective bargaining  
10 agreement. The ratio language shall be specific and clear as to application in terms of jobsite, work  
11 force, department, or plant;

12 (viii) A probationary period reasonable in relation to the full apprenticeship term, with full  
13 credit given for the period toward completion of apprenticeship. ~~The~~ the probationary period shall  
14 not exceed twenty-five percent (25%) of the length of the program or one year, whichever is shorter;

15 (ix) Adequate and safe equipment and facilities for training and supervision, and safety  
16 training for apprentices on the job and in related instruction;

17 (x) The minimum qualifications required by a sponsor for persons entering the  
18 apprenticeship program, with an eligible starting age not less than sixteen (16) years;

19 (xi) The placement of an apprentice under a written apprenticeship agreement that  
20 conforms to the requirements of this chapter. The agreement shall directly, or by reference,  
21 incorporate the standards of the program as part of the agreement;

22 (xii) The granting of advanced standing or credit for demonstrated competency, previously  
23 acquired experience, training, or skills for all applicants equally, with commensurate wages for any  
24 progression step so granted;

25 (xiii) The transfer of an apprentice between apprenticeship programs and within an  
26 apprenticeship program must be based on agreement between the apprentice and the affected  
27 apprenticeship committees or program sponsors, and must comply with the following requirements:

28 (A) The transferring apprentice must be provided a transcript of related instruction and on-  
29 the-job learning by the committee or program sponsor;

30 (B) Transfer must be to the same occupation; and

31 (C) A new apprenticeship agreement must be executed when the transfer occurs between  
32 program sponsors.

33 (xiv) Assurance of qualified training personnel and adequate supervision on the job;

34 (xv) Recognition for successful completion of apprenticeship evidenced by an appropriate

1 certificate issued by the department of labor and training;

2 (xvi) Program standards that utilize the competency-based or hybrid approach for  
3 progression through an apprenticeship and that choose to issue interim credentials must clearly  
4 identify the interim credentials, demonstrate how these credentials link to the components of the  
5 apprenticeable occupation, and establish the process for assessing an individual apprentice's  
6 demonstration of competency associated with the particular interim credential; further, interim  
7 credentials must only be issued for recognized components of an apprenticeable occupation,  
8 thereby linking interim credentials specifically to the knowledge, skills, and abilities associated  
9 with those components of the apprenticeable occupation.

10 (xvii) Identification of the department of labor and training as the registration agency;

11 (xviii) Provision for the registration, cancellation, and deregistration of the program, and  
12 requirement for the prompt submission of any modification or amendment to the department of  
13 labor and training for approval;

14 (xix) Provision for registration of apprenticeship agreements, modifications, and  
15 amendments; notice to the department of labor and training of persons who have successfully  
16 completed apprenticeship programs; and notice of transfers, cancellations, suspensions, and  
17 terminations of apprenticeship agreements and a statement of the reasons therefore;

18 (xx) Authority for the cancellation of an apprenticeship agreement during the probationary  
19 period by either party without stated cause. Cancellation during the probationary period will not  
20 have an adverse impact on the sponsor's completion rate;

21 (xxi) Compliance with 29 C.F.R. 30, including the equal opportunity pledge prescribed in  
22 29 C.F.R. § 30.3~~(b)~~(c); an affirmative action plan complying with 29 C.F.R. § 30.4; and a method  
23 for the selection of apprentices authorized by 29 C.F.R § ~~30.5~~ 30.10, or compliance with parallel  
24 requirements contained in a state plan for equal opportunity in apprenticeship adopted under 29  
25 C.F.R. part 30 and approved by the department. The apprenticeship standards must also include a  
26 statement that the program will be conducted, operated, and administered in conformity with  
27 applicable provisions of 29 C.F.R. part 30, as amended, or if applicable, an approved state plan for  
28 equal opportunity in apprenticeship;

29 (xxii) Name and address, telephone number, and e-mail address (if applicable) of the  
30 appropriate authority under the program to receive, process, and make disposition of complaints;

31 (xxiii) Recording and maintenance of all records concerning apprenticeship as may be  
32 required by the office of apprenticeship or the department of labor and training and other applicable  
33 law.

34 **28-45-10. Definitions.**

1 For the purposes of this chapter:

2 (1) "Apprentice" means a worker at least sixteen (16) years of age, except where a higher  
3 minimum age standard is otherwise fixed by law or by the apprenticeship program sponsor, who is  
4 employed to learn an apprenticeable occupation as provided in 29 C.F.R. § 29.4 under standards of  
5 apprenticeship fulfilling the requirement of 29 C.F.R. § 29.5.

6 ~~(+)(2)~~ "Apprenticeship agreement" means a written agreement complying with 29 C.F.R.  
7 § 29.7 between an apprentice and either the apprenticeship program sponsor, or an apprenticeship  
8 committee acting as agent for the program sponsor(s), which contains the terms and conditions of  
9 the employment and training of the apprentice.

10 ~~(+)(3)~~ "Apprenticeable occupation" ~~which means an occupation that~~ possesses all of the  
11 following characteristics:

12 (i) It is customarily learned in a practical way through a structured, systematic program of  
13 ~~on-the-job on-the-job~~ supervised learning.

14 (ii) It is clearly identified and commonly recognized throughout an industry.

15 (iii) It involves the progressive attainment of manual, mechanical, or technical skills and  
16 knowledge, which is in accordance with the industry standard for the occupation, that ~~requires~~  
17 require the completion of at least a minimum of two thousand (2,000) hours of ~~on-the-job on-the-~~  
18 job learning to attain experience.

19 (iv) It requires related instruction to supplement the ~~on-the-job on-the-job~~ learning.

20 (4) "Apprenticeship program" means a plan containing all terms and conditions for the  
21 qualification, recruitment, selection, employment, and training of apprentices, as required under 29  
22 C.F.R. Parts 29 and 30, including such matters as the requirement for a written apprenticeship  
23 agreement.

24 ~~(+)(5)~~ "Council" means the state apprenticeship council as established by § 28-45-2.

25 ~~(+)(6)~~ "OA" means office of apprenticeship, U.S. department of labor.

26 (7) "Registration agency" means the office of apprenticeship or a recognized state  
27 apprenticeship agency that has responsibility for registering apprenticeship programs and  
28 apprentices; providing technical assistance; and conducting reviews for compliance with 29 C.F.R.  
29 Parts 29 and 30 and quality assurance assessments.

30 ~~(+)(8)~~ "Secretary" means secretary of the U.S. department of labor.

31 **28-45-11. Applicability of chapter.**

32 The provisions of this chapter shall apply only to registered apprenticeships and shall apply  
33 to a firm, person, corporation, or organization of employees or an association of employers only  
34 after that person, firm, corporation, or organization of employees or association of employers has

1 voluntarily elected to conform to its provisions.

2 **28-45-13. Standards of apprenticeship agreements.**

3 All apprenticeship agreements submitted for approval and registration with the department  
4 of labor and training shall contain, explicitly or by reference, standards adopted by the council,  
5 including:

6 (1) Names and signatures of the contracting parties (apprentice and the program sponsor  
7 or employer); and the signature of a parent or guardian if the apprentice is a minor.

8 (2) The date of birth of apprentice and on a voluntary basis the social security number of  
9 the apprentice.

10 (3) Name and address of the program sponsor and the registration agency.

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

13 (5) A statement showing:

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

19 (ii) The number of hours to be spent in related and supplemental instruction in technical  
20 subjects related to the occupation, which is recommended to be not less than one hundred forty-  
21 four (144) hours per year.

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

25 (7) A statement of the graduated scale of wages to be paid the apprentice and whether or  
26 not the required related instruction shall be compensated.

27 (8) Statements providing:

28 (i) For a specific period of probation, during which time the apprenticeship agreement may  
29 be terminated by either party to the agreement upon written notice to the department of labor and  
30 training, without adverse impact on the sponsor; and

31 (ii) That, after the probationary period, the agreement may be cancelled at the request of  
32 the apprentice, or may be suspended, or terminated by the sponsor, for good cause, with due notice  
33 to the apprentice and a reasonable opportunity for corrective action, and with written notice to the  
34 apprentice and to the department of labor and training of the final action taken.

1 (9) A reference incorporating as part of the agreement the standards of the apprenticeship  
2 program as it exists on the date of the agreement and as it may be amended during the period of the  
3 agreement.

4 (10) A statement that the apprentice will be accorded equal opportunity in all phases of  
5 apprenticeship employment, and training, without discrimination because of race, color, religion,  
6 ~~national origin, or~~ sex, sexual orientation, gender identity or expression, disability, age, or country  
7 of ancestral origin, as enumerated in § 28-5-5.

8 (11) Name and address, ~~phone~~ telephone number, and e-mail address (if applicable) of the  
9 appropriate authority, if any, designated under the program to receive, process, and make  
10 disposition of controversies or differences arising out of the apprenticeship agreement when the  
11 controversies or differences cannot be adjusted locally or resolved in accordance with the  
12 established procedure or applicable collective bargaining provisions.

13 **28-45-14. State EEO plan.**

14 The apprenticeship program shall operate in conformance with ~~state law, including the~~  
15 ~~EEO standards and regulations~~ the state plan for equal employment opportunity in registered  
16 apprenticeship programs, adopted by the department of labor and training.

17 **28-45-16. Reciprocity.**

18 (a) When a sponsor of an active apprenticeship program ~~which that~~ is registered ~~and~~  
19 ~~operating in a neighboring state~~ with a registration agency, as defined by 29 C.F.R. § 29.2 and  
20 located outside of Rhode Island requests ~~registration~~ reciprocal recognition from the department of  
21 labor and training to train apprentices for work projects in this state, the ~~sponsor~~ apprentice shall  
22 be granted ~~registration providing~~ recognition as long as the sponsor ~~conforms~~ complies with the  
23 regulations and standards of the state of Rhode Island.

24 (b) ~~An apprentice registered in an approved registered apprenticeship program in a~~  
25 ~~neighboring state will be awarded certification of registration for state purposes upon request and~~  
26 ~~on the condition that the neighboring state's sponsorship program is registered with the appropriate~~  
27 ~~state apprentice agency.~~

28 (c) ~~The department of labor and training shall have the authority to expand or limit the~~  
29 ~~number of states that are subject to the provisions of subsection (a) of this section by regulation~~  
30 ~~through the promulgation of rules and regulations.~~

31 (d) ~~The department of labor and training shall accord reciprocal approval for federal~~  
32 ~~purposes to apprentices, apprenticeship programs and standards that are registered in other states~~  
33 ~~by the U.S. department of labor or a registration agency recognized by the U.S. department of labor~~  
34 ~~if such reciprocity is requested by the apprenticeship program sponsor; program sponsors seeking~~



1 ~~reciprocal approval must meet Rhode Island wage and hour provisions and apprentice ratio~~  
2 ~~standards.~~

3 SECTION 13. Section 28-45-18 of the General Laws in Chapter 28-45 entitled  
4 "Apprenticeship Programs in Trade and Industry" is hereby repealed.

5 ~~28-45-18. Vocational school training.~~

6 ~~(a) The board of regents for elementary and secondary education may authorize vocational~~  
7 ~~schools to provide apprenticeship classroom training to students subject to the approval of the~~  
8 ~~Rhode Island department of labor and training.~~

9 ~~(b) In the event the board of regents authorizes state certified apprenticeship training under~~  
10 ~~subsection (a), and a student successfully completes the vocational school program, then the student~~  
11 ~~shall receive apprentice credit, to be applied against a state certified apprenticeship program~~  
12 ~~requirement set forth by the state apprenticeship council pursuant to § 28-45-13, for one hundred~~  
13 ~~forty four (144) hours of apprenticeship classroom training.~~

14 SECTION 14. This act shall take effect upon passage.

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LC004803  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- APPRENTICESHIPS

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1           This act would comprehensively amend the state's apprenticeship statutes to make them  
2 more consistent with applicable federal regulations and to make them easier to understand and more  
3 consistent with each other.

4           This act would take effect upon passage.

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LC004803  
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