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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1391

03/11/2013 Authored by Isaacson

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance and Policy

1.1 A bill for an act
1.2 relating to jobs; creating a collaborative job-based education and apprenticeship
1.3 program; requiring a report; appropriating money; proposing coding for new law
1.4 as Minnesota Statutes, chapter 178A.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[178A.10] JOB-BASED EDUCATION AND APPRENTICESHIP**
1.7 **PROGRAM (JEAP).**

1.8 Subdivision 1. **Establishment.** The commissioner of labor and industry, in
1.9 collaboration with the Board of Trustees of the Minnesota State Colleges and Universities
1.10 (MnSCU) and eligible employers, shall create a comprehensive job-based education
1.11 and apprenticeship program (JEAP) that integrates academic instruction and job-related
1.12 learning in the workplace and through MnSCU institutions. The commissioner shall
1.13 actively recruit participants in JEAP, through the Web-based hub created in subdivision 3
1.14 and other means, from the following groups: secondary and postsecondary school systems;
1.15 individuals with disabilities; dislocated workers; retired and disabled veterans; individuals
1.16 enrolled in MFIP under chapter 256J; minorities; previously incarcerated individuals;
1.17 individuals residing in labor surplus areas as defined by the United States Department of
1.18 Labor; and any other disadvantaged group as determined by the commissioner.

1.19 Subd. 2. **Definitions.** (a) For the purposes of this section, the terms defined in
1.20 this subdivision have the meanings given.

1.21 (b) "Board of Trustees of the Minnesota State Colleges and Universities" has the
1.22 meaning given in section 136F.01.

1.23 (c) "Commissioner" means the commissioner of labor and industry.

2.1 (d) "Eligible employer" means a skilled manufacturing employer within the
2.2 state who enters into an agreement with MnSCU and the commissioner of labor under
2.3 subdivisions 3 and 4.

2.4 (e) "Hub" or "the hub" means the Web-based listing of skilled manufacturing jobs
2.5 under subdivision 3.

2.6 (f) "MnSCU institution" means the local college or university providing instruction
2.7 to the participant.

2.8 (g) "Participant" means an employee who:

2.9 (1) enters into a modified apprenticeship agreement under subdivision 4; and

2.10 (2) is successfully admitted to a MnSCU institution, if applicable.

2.11 (h) "Skilled manufacturing" is as defined jointly by the MnSCU institution and
2.12 the commissioner.

2.13 Subd. 3. **Job-seekers hub.** (a) The commissioner shall create a centralized
2.14 Web-based job-seekers' hub that matches the needs of eligible employers with job seekers.

2.15 (b) An eligible employer may advertise an apprenticeship or job opportunity on
2.16 the hub if the employer agrees to:

2.17 (1) collaborate with a MnSCU institution to assist with the development of any
2.18 necessary classroom instruction or technical or vocational training that may be required to
2.19 perform the duties of the skilled manufacturing job;

2.20 (2) collaborate with the commissioner of labor and industry to create an
2.21 employer-specific modified apprenticeship program under subdivision 4;

2.22 (3) abide by the terms of the modified apprenticeship program agreement under
2.23 subdivision 4; and

2.24 (4) employ the participant for the duration of the modified apprenticeship program
2.25 and, assuming successful completion, make reasonable efforts to continue to employ the
2.26 participant as a regular employee.

2.27 (c) Participants seeking skilled manufacturing jobs advertised on the hub agree to
2.28 abide by the terms of the modified apprenticeship agreement under subdivision 4.

2.29 (d) The commissioner shall design the hub so that it provides information to
2.30 job-seekers as a whole, and also specific, relevant information to the groups listed in
2.31 subdivision 1. The Board of MnSCU and MnSCU institutions shall provide information
2.32 for the hub describing the instruction component of JEAP.

2.33 Subd. 4. **Modified apprenticeship program.** (a) The commissioner, eligible
2.34 employer, and MnSCU institution shall create an apprenticeship agreement that is specific
2.35 to the identified manufacturing needs of an eligible employer.

2.36 (b) The agreement must contain the following:

- 3.1 (1) the name of the employer;
- 3.2 (2) a statement showing the number of hours to be spent by a participant in work
- 3.3 and the number of hours to be spent, if any, in concurrent, supplementary instruction in
- 3.4 related subjects. The maximum number of hours of work per week, not including time
- 3.5 spent in related and supplemental instruction, for any participant shall not exceed either
- 3.6 the number prescribed by law or the customary regular number of hours per week for the
- 3.7 employees of the company by which the participant is employed. A participant may
- 3.8 be allowed to work overtime provided that the overtime work does not conflict with
- 3.9 supplementary instruction course attendance. All time in excess of the number of hours of
- 3.10 work per week as specified in the apprenticeship agreement shall be considered overtime;
- 3.11 (3) a statement showing the schedule of wages that a participant will earn, including
- 3.12 a probationary period, if any;
- 3.13 (4) an explanation of how the parties may terminate an agreement under this
- 3.14 subdivision;
- 3.15 (5) a statement setting forth a schedule of the processes in the trade, occupation,
- 3.16 or industry divisions in which the participant is to be taught and the approximate time to
- 3.17 be spent at each process;
- 3.18 (6) a statement by the MnSCU institution and the employer describing the instruction
- 3.19 that will be offered, if any, under subdivision 5, paragraph (c); and
- 3.20 (7) any other provision the commissioner deems necessary to carry out the purposes
- 3.21 of this section.
- 3.22 Subd. 5. **MnSCU instruction.** (a) MnSCU institutions shall collaborate with
- 3.23 eligible employers to provide classroom instruction which the employer deems necessary
- 3.24 to instruct participants of an apprenticeship program under subdivision 4. The instruction
- 3.25 provided must be career-level, as negotiated by the commissioner and the MnSCU
- 3.26 institution. Instruction may be for credit or noncredit and credit earned may be transferable
- 3.27 to a degree-seeking program, as determined by the MnSCU institution.
- 3.28 (b) The MnSCU institution shall issue a certificate of completion to a participant
- 3.29 who completes all required components of the modified apprenticeship agreement and the
- 3.30 instruction provided by the MnSCU institution.
- 3.31 (c) As part of the modified apprenticeship agreement under subdivision 4, an eligible
- 3.32 employer shall collaborate with a MnSCU institution if the employer determines that
- 3.33 additional classroom instruction or technical or vocational training is required to perform
- 3.34 the skilled manufacturing job. The agreement shall include:
- 3.35 (1) a detailed explanation of the type of instruction or training required to perform
- 3.36 the skilled manufacturing job for the employer;

4.1 (2) the number of hours of instruction needed to receive a certificate of completion;
 4.2 and

4.3 (3) the amount of tuition per credit which must be remitted by the employer.

4.4 (d) Before entering into a modified apprenticeship agreement under subdivision 4, a
 4.5 participant must apply to the MnSCU institution at which the required instruction will
 4.6 occur. Acceptance into JEAP does not guarantee acceptance as a student in good standing
 4.7 at a MnSCU institution. MnSCU may modify admission procedures and requirements for
 4.8 participants applying for JEAP under this section.

4.9 Subd. 6. **Expiration.** JEAP does not expire unless jointly agreed to by both the
 4.10 Board of Trustees of MnSCU and the commissioner.

4.11 Sec. 2. **IMPLEMENTATION; REPORT.**

4.12 The commissioner shall implement JEAP at Century College and Alexandria
 4.13 Technical and Community College. By January 15, 2015, the commissioner shall report to
 4.14 the legislative committees with jurisdiction over jobs on the progress and success of JEAP
 4.15 under Minnesota Statutes, section 178A.10, and where JEAP should next be implemented.

4.16 Sec. 3. **APPROPRIATION.**

4.17 (a) \$..... in fiscal year 2014 and \$..... in fiscal year 2015 are appropriated from
 4.18 the workforce development fund to the Board of Trustees of MnSCU for the purposes of
 4.19 the job-based education and apprenticeship program under Minnesota Statutes, section
 4.20 178A.10.

4.21 (b) \$..... in fiscal year 2014 and \$..... in fiscal year 2015 are appropriated from the
 4.22 workforce development fund to the commissioner of labor and industry for the purposes
 4.23 of the job-based education and apprenticeship program under Minnesota Statutes, section
 4.24 178A.10.

4.25 (c) \$..... in fiscal year 2014 and \$..... in fiscal year 2015 are appropriated from
 4.26 the workforce development fund for a grant to Alexandria Technical and Community
 4.27 College for the Customized Training Center.