

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Contingent fund for probation officer.**—Laws 1923, Chapter 289, Section 8, is hereby amended so as to read as follows:

“Section 8. <sup>N</sup>A contingent fund of \$2,500 per annum for the payment of transportation and incidental expenses incurred shall be set aside in the treasury of said county annually to be paid out only upon order of the court upon proper vouchers. *Such probation officer, assistant probation officer or deputy probation officers may be allowed the sum of five cents per mile for actual mileage traveled when using their own automobiles in the performance of their duties which shall be paid to them monthly out of the above fund.*”

**Sec. 2. Compensation for probation officer and assistants.**—Laws 1923, Chapter 289, Section 12, as amended by Laws 1927, Chapter 240, Section 3 and by Laws 1935, Chapter 190, is hereby amended so as to read as follows:

“Section-12. The chief probation officer, *assistant probation officer, deputy probation officers and all other employees in the office of the probation officer shall receive such compensation as shall be fixed by the judges of the district court of any such county.*”

**Section 3.** This act shall take effect and be in force from and after January 1, 1940.

Approved April 21, 1939.

#### CHAPTER 363—H. F. No. 992

*An act providing for voluntary apprenticeship, and appropriating money to the Industrial Commission of Minnesota to carry out the provisions of this act.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Purpose of act.**—The purposes of this act are: to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment

opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an apprenticeship council and local and state joint apprenticeship committees to assist in effectuating the purposes of this act; to provide for a director of apprenticeship within the department of labor and industry; to provide for reports to the legislature and to the public regarding the status of apprentice training in the state; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends.

**Sec. 2. Industrial commission to appoint apprenticeship council.**—Subdivision 1. The Industrial Commission of Minnesota, hereinafter called the commission, shall appoint an apprenticeship council, composed of three representatives each from employer and employee organizations respectively, and of two representatives of the general public. The state official who has been designated by the state board for vocational education as being in charge of trade and industrial education shall ex officio be a member of said council. The terms of office of the members of the apprenticeship council first appointed by the commission shall expire as designated by the commission at the time of making the appointment: One representative each of employers, employees, and the public being appointed for one year, one representative each of employers, employees, and the public being appointed for two years, and one representative each of employers and employees for three years. Thereafter, each member shall be appointed for a term of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of said term.

Subdivision 2. The apprenticeship council shall meet at the call of the commission and shall aid it in formulating policies for the effective administration of this act. Subject to the approval of the commission, the apprenticeship council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this act, shall issue such rules and regulations as may be necessary to carry out the intent and purposes of said act, and shall perform such other functions as the commission may direct. Not less than once every two years the apprenticeship council shall make a report through the commission of labor and industry of its activities and findings to the legislature and to the public.

**Sec. 3. Commission to appoint director of apprenticeship.**

—The commission is hereby directed to appoint a director of apprenticeship, which appointment shall be subject to the confirmation of the state apprenticeship council by a majority vote. The commission is further authorized to appoint and employ such clerical, technical, and professional help as shall be necessary to effectuate the purposes of this act.

**Sec. 4. Director and council to administer act.**—The director, under the supervision of the commission and with the advice and guidance of the apprenticeship council, is authorized to administer the provisions of this act; in cooperation with the apprenticeship council and local and state joint apprenticeship committees, to set up conditions and training standards for apprentice agreements, which conditions or standards shall in no case be lower than those prescribed by this act; to act as secretary of the apprenticeship council and of such state joint apprenticeship committee; to approve, if in his opinion approval is for the best interest of the apprentice, any apprentice agreement which meets the standards established under this act; to terminate or cancel any apprentice agreement in accordance with the provisions of such agreement; to keep a record of apprentice agreements and their disposition; to issue certificates of completion of apprenticeship; and to perform such other duties as are necessary to carry out the intent of this act; provided, that the administration and supervision of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the responsibility of state and local boards responsible for vocational education.

**Sec. 5. Local and state committees to be appointed.**—Local and state joint apprenticeship committees shall be appointed, in any trade by the apprenticeship council, whenever the apprentice training needs of such trade justifies such establishment.

**Sec. 6. Who are apprentices.**—The term "apprentice" as used herein, shall mean a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice agreement, with an employer, an association of employers, or an organization of employees, which apprentice agreement provides for not less than 4,000 hours of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through education in related and supplemental subjects.

**Sec. 7. Apprentice agreements.—Contents.**—Every apprentice agreement entered into under this act shall contain:

- (1) The names of the contracting parties.
- (2) The date of birth of the apprentice.
- (3) A statement of the trade, craft, or business which the apprentice is to be taught, and the time at which the apprenticeship will begin and end.
- (4) A statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than 144 hours per year. Provided, that in no case shall the combined weekly hours of work and of required related and supplemental instruction of the apprentice exceed the maximum number of hours of work prescribed by law for a person of the age and sex of the apprentice.
- (5) A statement setting forth a schedule of the processes in the trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process.
- (6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated.
- (7) A statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than four months, during which time the apprentice agreement shall be terminated by the director at the request in writing of either party, and providing that after such probationary period the apprentice agreement may be terminated by the director by mutual agreement of all parties thereto, or cancelled by the director for good and sufficient reason.
- (8) A provision that all controversies or differences concerning the apprentice agreement which cannot be adjusted locally shall be submitted to the director for determination as provided for in section nine.
- (9) A provision that an employer who is unable to fulfill his obligation under the apprentice agreement may with the approval of the director transfer such contract to any other employer, provided, that the apprentice consents and that such other employer agrees to assume the obligations of said apprentice agreement.

(10) Such additional terms and conditions as may be prescribed or approved by the director not inconsistent with the provisions of this act.

**Sec. 8. To be approved by director.**—No apprentice agreement under this act shall be effective until approved by the director. Every apprentice agreement shall be signed by the employer, or by an association of employers or an organization of employees and by the apprentice, and if the apprentice is a minor, by the minor's father; provided, that if the father be dead or legally incapable of giving consent or has abandoned his family then by the minor's mother; if both father and mother be dead or legally incapable of giving consent, then by the guardian of the minor. Where a minor enters into an apprentice agreement under this act for a period of training extending into his majority, the apprentice agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

**Sec. 9. Investigations by director.**—Subdivision 1. Upon the complaint of any interested person or upon his own initiative, the director may investigate to determine if there has been a violation of the terms of an apprentice agreement, made under this act, and he may hold hearings, inquiries, and other proceedings necessary to such investigation and determination. The parties to such agreement shall be given a fair and impartial hearing, after reasonable notice thereof. All such hearings, investigations and determinations shall be made under authority of reasonable rules and procedures prescribed by the apprenticeship council, subject to the approval of the commission.

Subdivision 2. The determination of the director shall be filed with the commission. If no appeal therefrom is filed with the commission within ten days after the date thereof, as herein provided, such determination shall become the order of the commission. Any person aggrieved by any determination or action of the director, may appeal therefrom to the commission, which shall hold a hearing thereon after due notice to the interested parties. Any person aggrieved or affected by any determination or order of the commission, may appeal therefrom to the district court having jurisdiction, at any time within 30 days after the date of such order by service of a written notice of appeal on said commission, or its secretary. Upon service of said notice of appeal, said commission, by its secretary, shall forthwith file, with the clerk of said district court to which said appeal is taken, a certified copy of the order

appealed from, together with findings of fact on which the same is based. The person serving such notice of appeal shall, within five days after the service thereof, file the same with proof of service, with the clerk of the court to which such appeal is taken; and thereupon said district court shall have jurisdiction over said appeal, and the same shall be entered upon the records of said district court and shall be tried therein de novo according to the rules relating to the trial of civil actions, so far as the same are applicable. Any person aggrieved or affected by any determination, order or decision of the district court may appeal therefrom to the supreme court in the same manner as provided by law for the appeal of civil action.

Section 11. The provisions of this act shall have no application to those infants who are apprenticed by the state board of control pursuant to Mason's Minnesota Statutes of 1927, Sections 4472, 4473 and 4621.

Sec. 12. **Provisions severable.**—If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other person and circumstances, shall not be affected thereby.

Approved April 20, 1939.

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#### CHAPTER 364—H. F. No. 1062

*An act appropriating \$2,500.00 to the Adjutant General for defraying incidental and other expenses in connection with the visits of the Crown Prince and Princess of Norway and Denmark.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Appropriation for expenses in connection with the visit of the Crown Princes and Princesses of Norway and Denmark.**—There is hereby appropriated, out of moneys in the state treasury not otherwise appropriated, to the Adjutant General the sum of \$2,500.00 to be immediately available and without accounting for incidental and other expenses in connection with the visits of the Crown Prince and Princess of Norway and Denmark.

Approved April 21, 1939.