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**CHAPTER 130—H.F.No.1011**

*An act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.*

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

Section 1. Minnesota Statutes 1978, Section 178.02, Subdivision 1, is amended to read:

178.02 **APPRENTICESHIP ADVISORY COUNCIL.** Subdivision 1. **MEMBERS.** The commissioner of labor and industry, hereinafter called the commissioner, shall appoint an apprenticeship advisory council, hereinafter referred to as the council, composed of three representatives each from employer and employee organizations, and two representatives of the general public. ~~The state official who has been designated by the state board for vocational assistant commissioner of education as being in charge of trade and industrial education~~ responsible for vocational education or his designee shall be an ex officio member of the council and shall serve in an advisory capacity only.

Sec. 2. Minnesota Statutes 1978, Section 178.03, Subdivision 3, is amended to read:

Subd. 3. **DUTIES AND FUNCTIONS.** The director, under the supervision of the commissioner, and with the advice of the apprenticeship advisory council, is authorized: to administer the provisions of this chapter; to promote apprenticeship and other forms of on the job training; to establish, in cooperation with the apprenticeship advisory council and with the apprenticeship committees, conditions and training standards for the approval of apprenticeship programs and agreements, which conditions and standards shall in no case be lower than those prescribed by this chapter; to promote equal employment opportunity in apprenticeship and other on the job training and to establish a Minnesota Plan for Equal Employment Opportunity in Apprenticeship which shall be consistent with standards established under Title 29, Code of Federal Regulations, Part 30, as amended; to issue certificates of registration to sponsors of approved apprenticeship programs; to act as secretary of the apprenticeship advisory council; to approve, if in his opinion approval is for the best interest of the apprentice, any apprenticeship agreement which meets the standards established hereunder; to terminate any apprenticeship agreement in accordance with the provisions of such agreement; to keep a record of apprenticeship agreements and their disposition; to issue certificates of completion of apprenticeship; and to perform such other duties as the commissioner deems necessary to carry out the intent of this chapter; provided, that the administration and supervision of supplementary instruction in related subjects for apprentices; coordination of instruction on a concurrent basis with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the function of

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state and local boards responsible for vocational education. The director shall have the authority to make wage determinations applicable to the graduated schedule of wages and journeyman wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeymen that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.

Sec. 3. Minnesota Statutes 1978, Section 178.03, is amended by adding a subdivision to read:

Subd. 4. RECIPROCITY APPROVAL. The director, if requested by a sponsoring entity, shall grant reciprocity approval to apprenticeship programs of employers and unions who jointly form a sponsoring entity on a multistate basis in other than the building construction industry if such programs are in conformity with chapter 178 and have been registered in compliance with Title 29, Code of Federal Regulations, Part 29, by a state apprenticeship council recognized by or registered with the Bureau of Apprenticeship and Training, U. S. Department of Labor, when such approval is necessary for federal purposes under Title 29, Code of Federal Regulations, Section 29.12(a).

Sec. 4. Minnesota Statutes 1978, Section 178.05, Subdivision 2, is amended to read:

Subd. 2. **MEMBERS.** (a) The total number of members on a committee may range from four to ~~eight~~ twelve.

(b) In joint participation there shall be equal representation of employers and employees.

(c) Members shall be selected by the group or groups they represent subject to approval by the director.

(d) A committee may have as one of its employee representatives, an active apprentice of record, provided that he or she has completed a minimum of 6,000 hours of an apprenticeship term or has entered the fourth year of the term.

Sec. 5. Minnesota Statutes 1978, Section 178.06, is amended to read:

178.06 **APPRENTICE.** The term "apprentice," as used herein, means a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice agreement, with a committee, an employer, an association of employers, or an organization of employees, which apprentice agreement provides for not less than ~~4,000~~ 2,000 hours or ~~two years~~ one year of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through concurrent, supplementary education in related subjects. Whenever a minimum age exceeding 16 years is prescribed by federal or state law to apply to workers in certain hazardous occupations, the minimum age so prescribed shall be applicable to apprentices.

Approved May 21, 1979.

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