

2018 Regular Session

SENATE BILL NO. 158

BY SENATOR COLOMB

EMPLOYMENT. Requires employers who receive economic development incentives from the state to designate no less than two percent of the man-hours in any apprenticeable occupation to registered apprentices for a new construction project or the expansion of an existing construction project. (8/1/18)

1 AN ACT

2 To enact R.S. 23:388.1 and R.S. 51:934, relative to apprenticeship; to provide for
3 apprenticeship agreements for economic development participants; to require certain
4 employers that receive economic development incentives for new construction or
5 existing construction projects to employ certain apprentices; to provide for
6 agreements; to provide for waivers; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:388.1 is hereby enacted to read as follows:

9 **§388.1. Apprenticeship requirements of economic development programs**

10 **A. In order to promote employment opportunities for young people and**
11 **to train a skilled workforce in Louisiana, beginning August 1, 2018, each**
12 **employer who participates in an economic development program, as defined in**
13 **R.S. 51:935.1, and receives fiscal benefits for the construction of a new facility**
14 **or the expansion of an existing facility shall designate no less than two percent**
15 **of the man-hours in any apprenticeable occupation, as defined by the United**
16 **States Department of Labor, to apprentices who are registered pursuant to this**
17 **Chapter.**

1 **B. The director of apprenticeship shall approve all apprenticeship**
2 **agreements that are in furtherance of this Section and that meet the standards**
3 **established in this Chapter.**

4 **C.(1) If the executive director of the workforce commission determines,**
5 **in good faith, that an insufficient number of registered apprentices are available**
6 **for employment with a particular economic development program participant**
7 **on a particular construction project, the executive director shall certify the**
8 **number of registered apprentices who are available and shall issue a waiver for**
9 **the remaining number of jobs which would otherwise be reserved for registered**
10 **apprentices in order for the employer to meet the two percent man-hour**
11 **requirement provided for in R.S. 51:934.**

12 **(2) The executive director shall provide any waiver executed, pursuant**
13 **to Paragraph (1) of this Subsection, to the secretary of the Department of**
14 **Economic Development in compliance with R.S. 51:934.**

15 Section 2. R.S. 51:934 is hereby enacted to read as follows:

16 **§934. Registered apprenticeship program requirements**

17 **A. Beginning August 1, 2018, the Department of Economic Development**
18 **shall require each employer, as defined in R.S. 51:935.1, that participates in any**
19 **economic development program that receives fiscal benefits for the construction**
20 **of a new facility or the expansion of an existing facility to meet all of the**
21 **following requirements:**

22 **(1) Except as provided for in Subsection B of this Section, the employer**
23 **shall designate no less than two percent of man-hours in any apprenticeable**
24 **occupation, as defined by the United States Department of Labor, to be held by**
25 **registered apprentices.**

26 **(2) The employer shall cooperate with the director of apprenticeship and**
27 **meet the standards and requirements of the apprenticeship program as**
28 **provided for in Chapter 4 of Title 23 of the Louisiana Revised Statutes of 1950.**

29 **(3) If there are an insufficient number of registered apprentices**

1 available for employment with a particular construction project, the
 2 requirements of Paragraph (1) of this Subsection are to be waived only to the
 3 extent that such insufficiency is certified by the executive director of the
 4 Louisiana Workforce Commission, as provided for in R.S. 23:388.1.

The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

SB 158 Engrossed

2018 Regular Session

Colomb

Present law provides that the La. director of apprenticeship will, in cooperation with the apprenticeship council, set up conditions and training standards for apprentice agreements, which will in no case be lower than those prescribed by the Office of Apprenticeship, U.S. Dept. of Labor, or lower than approved national standards.

Present law requires that the La. Dept. of Economic Development certify state monetary incentives given to businesses that participate in various economic development programs that are enacted by the legislature.

Present law defines "economic development program" as any state program that directly or indirectly confers fiscal benefits on employers located in the state for the purposes of retraining and creating jobs and growing the state's economy. Economic development programs include grants, loan guarantees, tax exemptions, exclusions, credits, or rebates.

Proposed law retains present law but requires that, beginning Aug. 1, 2018, any employer who participates in an economic development program and receives fiscal benefits from the state of La. for the construction of a new facility or the expansion of an existing facility to designate no less than 2% of the man-hours in any apprenticeable occupation, as defined by the U.S. Dept. of Labor, to registered apprentices.

Present law provides that the director of apprenticeship will approve all apprenticeship agreements that meet the standards established in present law.

Proposed law retains present law but requires that the director of apprenticeship also approve the apprenticeship agreements under proposed law.

Proposed law provides that if the executive director of the La. Workforce Commission determines in good faith that an insufficient number of registered apprentices are available for a particular construction project, the executive director will certify the number of registered apprentices who are available for the particular construction project and will issue a waiver for the remaining number of jobs which would otherwise be reserved for registered apprentices in order for the employer to meet the 2% man-hour requirement provided for in proposed law.

Proposed law requires the employer to cooperate with director of apprenticeship and meet the standards and requirements of the apprenticeship program as provided for in proposed law.

Effective August 1, 2018.

(Adds R.S. 23:388.1 and R.S. 51:934)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial
Relations to the original bill

1. Technical amendment.