

House Bill 2338

Sponsored by Representative BONHAM (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that apprenticeship standards must require, for the purposes of training and supervision, a ratio of at least one apprentice for each journeyworker.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to minimum ratios of journeyworkers to apprentices in apprenticeship standards; amending
3 ORS 660.126; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 660.126 is amended to read:

6 660.126. (1) Apprenticeship standards [*shall*] **must** contain statements of:

7 (a) The apprenticeable occupation to be taught and a designation of the geographical area or
8 areas in which the standards will apply;

9 (b) The qualifications required of apprentice applicants and the minimum eligible starting age,
10 which is at least 16 years unless a higher age is required by law;

11 (c) The outline of work processes in which the apprentice will receive supervised work experi-
12 ence and training on the job, and the allocation of the approximate time to be spent in each major
13 process;

14 (d) The term required for completion of apprenticeship, which [*shall*] **must** be consistent with
15 requirements established by industry practice for the development of requisite skills, but [*in no event*
16 *shall*] **may not** be less than 2,000 hours of reasonably continuous work experience;

17 (e) The approximate number of hours to be spent by the apprentice at work and the approximate
18 number of hours to be spent in related and supplemental instruction;

19 (f) The minimum numeric ratio of journeyworkers to apprentices consistent with proper super-
20 vision, training, safety and continuity of employment, which [*shall*] **must** be specifically and clearly
21 stated as to application in terms of job site, workforce, department or plant **and must be a ratio**
22 **of at least one apprentice for each journeyworker**;

23 (g) A probationary period of up to one year or 25 percent of the length of the program, which-
24 ever is shorter, with full credit given for the probationary period toward completion of apprentice-
25 ship and with provision that during the probationary period, the apprenticeship agreement may be
26 terminated without cause;

27 (h) A progressively increasing schedule, showing the percentages of the journeyworker hourly
28 wage to be paid the apprentice at each level of apprenticeship achieved;

29 (i) Any additional provisions that the State Apprenticeship and Training Council and the Ap-
30 prenticeship and Training Division of the Bureau of Labor and Industries may, by rule, deem nec-
31 essary or advisable to effectuate the policies and duties prescribed and imposed by ORS 660.002 to

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 660.210; and

2 (j) The content of related training with training objectives.

3 (2) Notwithstanding subsection (1) of this section, the council and the division may approve the
4 inclusion of standards of additional provisions, or of provisions that depart from the requirements
5 of subsection (1) of this section, [*when*] **if** such standards or provisions have been submitted by joint
6 employer and employee groups, or may be part of legitimate bargaining agreements between an
7 employer and employees. In making the decision, the council and the division shall consider the
8 following factors:

9 (a) The possibility that the provision might result in curtailment of opportunities for apprentices
10 to receive training or continuity of employment;

11 (b) The possibility that the provision might result in the diversion of needed qualified applicants
12 for apprenticeship, and particularly of qualified applicants of protected classes, into unskilled or
13 semiskilled jobs for which an adequate supply of labor already exists;

14 (c) The possibility that the provision might result in disputes among the participants in the
15 programs that might curtail the cooperation necessary to build an adequate, skilled labor force in
16 the State of Oregon;

17 (d) The need to safeguard the health, safety, continuity of employment and welfare of the ap-
18 prentices and to ensure the public welfare;

19 (e) The need to raise the level of skill in each apprenticeable occupation to provide to the public
20 quality goods and services at a fair price and an adequate and skilled workforce for the defense of
21 the nation; and

22 (f) The need to provide training in the licensed occupations for the protection of the apprentices
23 and of the general public.

24 (3) The council and the division shall adopt rules to allow a local committee to determine the
25 circumstances under which an electrical apprentice, who is working under ORS 479.510 to 479.945
26 and has completed 6,500 hours of apprenticeship training for licenses requiring 8,000 hours of ap-
27 prenticeship training or who has completed 5,000 hours of apprenticeship training for licenses re-
28 quiring 6,000 hours of apprenticeship training, may work without direct supervision during the
29 remainder of the apprenticeship.

30 **SECTION 2. This 2021 Act takes effect on the 91st day after the date on which the 2021**
31 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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