



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1581

Introduced 2/22/2007, by Rep. Wyvetter H. Younge

SYNOPSIS AS INTRODUCED:

New Act

Creates the State Apprenticeship and Training Act. Creates the Apprenticeship and Training Council to develop sound apprenticeship training standards and to encourage industry and labor to institute training programs. Establishes the powers and duties of the Council. Provides that the Council shall establish the standards for the certification of the competence of individuals as journeymen in the various building, craft or other skilled trades. Provides that apprenticeship committees may be approved in any trade or group of trades, or in municipalities, regions of the State, or trade areas, by the Council whenever the apprentice training needs of such trade or group of trades in such localities justify such establishment. Provides that certain information shall be contained in an apprenticeship agreement. Provides that the provisions of the Act shall, in regard to apprenticeship and training programs, apply to a person, firm, corporation or craft only after such person, firm, corporation or craft has voluntarily elected to conform with the provisions of the Act.

LRB095 10409 WGH 30624 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the State
5 Apprenticeship and Training Act.

6 Section 5. Legislative findings. Skilled manpower
7 constitutes a great resource in this State. Apprenticeship
8 programs, through supervised training and education, develop
9 skilled craftsmen and help meet the increasing needs for such
10 workers in the State's labor force. The continuing development
11 of skilled manpower is essential for individual
12 self-realization and for an expanding industrial economy. To
13 these ends, it is the declared public policy of the State to
14 develop sound apprenticeship training standards and to
15 encourage industry and labor to institute training programs.

16 Section 10. Definitions: In this Act:

17 "Apprenticeship agreement" means (i) an individual written
18 agreement between an employer and an apprentice, (ii) a written
19 agreement between an employer or an association of employers
20 and an organization of employees describing conditions of
21 employment for apprentices, or (iii) a written statement
22 describing conditions of employment for apprentices in a plant

1 or plants where there is no bona fide employee organization.

2 Section 15. Apprenticeship and Training Council.

3 (a) The Apprenticeship and Training Council is created to:

4 (1) encourage and promote the making of apprenticeship
5 agreements conforming to the standards established under
6 this Act;

7 (2) establish suggested standards for apprenticeship
8 agreements in conformity with the provisions of this Act;

9 (3) supervise the execution of apprenticeship
10 agreements and maintenance of standards;

11 (4) register approved apprenticeship agreements, and
12 upon performance, issue certificates of completion of
13 apprenticeship;

14 (5) settle differences arising out of apprenticeship
15 agreements when such differences cannot be adjusted
16 locally or in accordance with established trade procedure;

17 (6) terminate or cancel any apprenticeship agreement
18 in accordance with the provisions of such agreement;

19 (7) encourage and promote the hiring by any trade or
20 group of trades of persons who are on parole, in order to
21 aid in the rehabilitation of such persons;

22 (8) study and disseminate information on
23 apprenticeship training, trends of employment
24 opportunities in various trades, the impact of
25 technological change on skill levels and requirements, the

1 supply of and needs for skilled manpower, and related
2 matters;

3 (9) cooperate with the federal government, the State
4 Board of Education, the Department of Commerce and Economic
5 Opportunity, the Department of Labor, the Department of
6 Financial and Professional Regulation, and other agencies,
7 public and private, in the State;

8 (10) adopt such rules and regulations as may be
9 necessary for the effective administration of this Act; and

10 (11) perform such other duties as may be necessary to
11 give full effect to the policies of the State and the
12 provisions of this Act.

13 (b) The Governor shall appoint an Apprenticeship and
14 Training Council composed of 7 persons, 6 of whom shall be
15 selected from employer and employee organizations on an equal
16 basis, and one of whom shall be a person from the general
17 public and serve as the chairman. The Council by majority vote
18 may designate one of its members, other than the chairman, as
19 vice-chairman to act in the absence or inability of the
20 chairman. Each member shall be appointed within 90 days after
21 the effective date of this Act for a term of 3 years. Each
22 member shall hold office until his successor is appointed and
23 qualified, and any vacancy shall be filled by appointment for
24 the unexpired portion of the term. The Superintendent of the
25 State Board of Education, the Director of the Department of
26 Commerce and Economic Opportunity, the Director of the

1 Department of Labor, and the Secretary of the Department of
2 Financial and Professional Regulation shall be ex officio
3 members of the Council. The members of the Council shall be
4 entitled to compensation at a rate of \$60 a day for each
5 meeting called by the chairman and shall be reimbursed for
6 transportation and other expenses actually and necessarily
7 incurred in the performance of their duties under this Act. The
8 Council shall appoint an executive secretary who shall be in
9 charge of apprentice training and who shall act as secretary of
10 the Council and of apprenticeship committees. The executive
11 secretary shall be authorized to appoint such clerical,
12 technical and professional assistants as necessary to
13 effectuate the purposes of this Act. The personnel appointed
14 under this Act shall receive an annual compensation to be fixed
15 by the Council within the amount provided by appropriation.

16 (c) The Council shall:

17 (1) advise the Governor on apprentice training
18 matters, including the matters of related and supplemental
19 instruction;

20 (2) recommend suggested standards for apprenticeship
21 agreements;

22 (3) maintain a close and effective liaison with
23 governmental and nongovernmental agencies which are
24 concerned with skilled manpower development and problems;

25 (4) recommend research projects on facts and trends
26 relating to apprenticeship training and the supply of and

1 needs for skilled manpower; and

2 (5) coordinate related and supplemental instruction
3 for apprentices with job experience and select teachers and
4 coordinators for such instruction.

5 (d) The Council is authorized and directed, in conjunction
6 with the State Board of Education, the Department of Commerce
7 and Economic Opportunity, the Department of Labor, and the
8 Department of Financial and Professional Regulation, to
9 formulate and promote apprenticeship programs funded solely by
10 State appropriation, for individuals not otherwise eligible
11 for training under this Act. In order to develop such programs,
12 the Council shall have all such powers and duties provided by
13 this Act and shall have the authority to pattern apprenticeship
14 and training programs after those otherwise established under
15 this Act.

16 (f) Within 180 days after the effective date of this Act,
17 the Council shall establish by rule, in cooperation with the
18 Department of Financial and Professional Regulation, standards
19 for the certification of the competence of individuals as
20 journeymen in the various building, craft or other skilled
21 trades. Upon compliance with the provisions of the Illinois
22 Administrative Procedure Act, the Council shall have the
23 authority to issue certificates of competence to individuals or
24 journeymen in any of the skilled trades. The standards
25 promulgated by the Council shall emphasize demonstrated
26 ability and competence by providing for uniform and

1 comprehensive examinations which will test the individual's
2 knowledge, qualifications and manual skills in the various
3 skilled trades, and his or her knowledge of minimum building
4 code standards if germane to the trade for which the individual
5 is examined.

6 Section 20. Apprenticeship committees. Apprenticeship
7 committees may be approved in any trade or group of trades, or
8 in municipalities, regions of the State or trade areas, by the
9 Council whenever the apprentice training needs of such trade or
10 group of trades in such localities justify such establishment.
11 The apprenticeship committees shall be composed of an equal
12 number of employer and employee representatives chosen from
13 names submitted by the respective local or State employer and
14 employee organizations in such trade or group of trades, and
15 such additional members representing local boards of education
16 or other educational agencies as may be deemed advisable. In a
17 trade or group of trades in which there is no bona fide
18 employer or employee organization the committee shall be
19 composed of persons known to represent the interests of
20 employers and of employees respectively, or the Council may act
21 as the committee in such trade or group of trades. Subject to
22 the review of the Council, such committees may devise standards
23 for apprenticeship agreements and give such aid as may be
24 necessary in their operation, in their respective trades and
25 localities.

1 Section 25. Apprenticeship agreements. Apprenticeship
2 agreements shall contain the following:

3 (1) A statement of the trade or craft to be taught and
4 the required hours for completion of apprenticeship which
5 shall be not be less than 4,000 hours of reasonably
6 continuous employment;

7 (2) A statement of the processes in the trade or craft
8 divisions in which the apprentice is to be taught and the
9 approximate amount of time to be spent at each process;

10 (3) A statement of the number of hours to be spent by
11 the apprentice in work and the number of hours to be spent
12 in related and supplemental instruction, which instruction
13 shall not be less than 144 hours per year;

14 (4) A statement that apprentices shall not be under the
15 age of 16;

16 (5) A provision that apprentices shall be selected on
17 the basis of qualifications alone, as determined by
18 objective criteria which permit review, and without any
19 direct or indirect limitation, specification or
20 discrimination as to sex, race, creed, color or national
21 origin;

22 (6) A statement of the progressively increasing scale
23 of wages to be paid the apprentice;

24 (7) A provision for a period of probation during which
25 the Council shall be directed to terminate an

1 apprenticeship agreement, at the request in writing, of any
2 party to the agreement. After the probationary period the
3 Council shall be empowered to terminate the registration of
4 an apprentice upon agreement of the parties;

5 (8) A provision that the services of the Department of
6 Labor may be utilized for consultation regarding the
7 settlement of differences arising out of the
8 apprenticeship agreement where such differences cannot be
9 adjusted locally or in accordance with the established
10 trade procedure;

11 (9) A provision that if an employer is unable to
12 fulfill his or her obligation under the apprenticeship
13 agreement he or she may transfer such obligation to another
14 employer; and

15 (10) Such additional standards as may be prescribed
16 under this Act.

17 Section 30. Application. The provisions of this Act shall,
18 in regard to apprenticeship and training programs, apply to a
19 person, firm, corporation or craft only after the person, firm,
20 corporation or craft has voluntarily elected to conform with
21 the provisions of this Act.