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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

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## DIGEST

Nevers (SB 155)

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

Proposed law retains present law but makes technical changes.

Present law provides that "apprentice" is defined as a worker at least 16 years of age, who is employed to learn an apprenticeable occupation.

Proposed law retains present law but provides that "apprentice" shall mean a worker older than 16 years of age where a higher minimum age standard is otherwise fixed by law or rules and regulations.

Present law provides that, upon the complaint of any interested person or upon his own initiative, the director of apprenticeship may investigate to determine if there has been a violation of the terms of an apprentice agreement and hold hearings, inquiries, and other proceedings necessary to such investigations and determination. Present law provides that the director shall investigate programs only as necessary to establish compliance, and then only upon proper notice. Present law provides that the parties to such agreement shall be given a fair and impartial hearing, after reasonable notice thereof.

Proposed law retains present law but provides that the director of apprenticeship may not investigate or conduct hearings regarding prohibited discrimination (e.g. age, disability, veteran status, race, color, religion, sex, national origin, pregnancy, childbirth, sickle cell traits, protected genetic information).

Proposed law provides that, except in cases of prohibited discrimination, any disagreement arising under an apprenticeship agreement which cannot be adjusted locally and which is not covered by a collective bargaining agreement, may be submitted by an apprentice, or by the apprentices authorized representative, within 60 days of the final local decision, to the Director of Apprenticeship, Louisiana Workforce Commission-Apprenticeship Division.

Proposed law provides that proposed law shall not be construed to preclude an apprentice from pursuing any remedy to address prohibited discrimination in employment which is otherwise available in any other part of the labor code, in any part of La. law, in federal law, or in local ordinance.

Proposed law provides that proposed law shall invalidate any of the following:

- (1) An apprenticeship provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards.
- (2) Any provisions of prohibited discrimination in employment which are contained in any other part of the labor code, in any part of La. law, in federal law, or in any local ordinance.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 23:382(B), 384(A), 384(B)(intro para) and (B)(2), (3), and (4) and (C), 385(B), 386, 387(intro para) and 387(9), 388, 389, 390, and 391)