

2020 Regular Session

HOUSE BILL NO. 163

BY REPRESENTATIVE CARPENTER

EMPLOYMENT: Requires certain employers to designate no less than two percent of the man-hours in any apprenticeable occupation to registered apprentices for certain construction projects

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 certain economic development participants; to require  
4 certain employers that receive economic development incentives for new  
5 construction or existing construction projects to employ certain apprentices; to  
6 provide for 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 to  
11 train a skilled workforce in Louisiana, each employer that participates in an  
12 economic development program, as defined in R.S. 51:935.1, and receives fiscal  
13 benefits for the construction of a new facility or the expansion of an existing facility  
14 shall designate no less than two percent of the man-hours in any apprenticeable  
15 occupation to apprentices who are registered pursuant to this Chapter.

16 B. The director of apprenticeship shall approve all apprenticeship  
17 agreements that are in furtherance of this Section and that meet the standards  
18 established in this Chapter.

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

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

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

13          §934. Registered apprenticeship program requirements

14           A. The Department of Economic Development shall require each employer,  
15           as defined in R.S. 51:935.1, that participates in any economic development program  
16           that receives fiscal benefits for the construction of a new facility or the expansion of  
17           an existing facility to meet all of the following requirements:

18           (1) Except as provided for in Subsection B of this Section, the employer  
19           shall designate no less than two percent of man-hours in any apprenticeable  
20           occupation to be held by registered apprentices.

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

24           B. If there is an insufficient number of registered apprentices available for  
25           employment with a particular construction project, the requirements of Paragraph (1)  
26           of this Subsection are to be waived only to the extent that such insufficiency is  
27           certified by the executive director of the Louisiana Workforce Commission, as  
28           provided for in R.S. 23:388.1.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 163 Original

2020 Regular Session

Carpenter

**Abstract:** Provides that employers who receive economic development incentives from the state cannot designate less than two percent of the man-hours in any apprenticeable occupation to registered apprentices for new construction projects or for the expansion of existing construction projects.

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.

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 purpose of retraining and creating jobs and growing the state's economy. Such programs may include grants, loan guarantees, tax exemptions, exclusions, credits, or rebates.

Proposed law retains present law and further requires 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 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 and further requires that the director of apprenticeship also approve the apprenticeship agreement 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 is available for a particular construction project, the executive director will certify the number of registered apprentices who are available 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 the director of apprenticeship and meet the standards and requirements of the apprenticeship program as provided for in proposed law.

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