

2022 Regular Session

SENATE BILL NO. 248

BY SENATOR LUNEAU

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. (8/1/22)

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§388.1. Apprenticeship requirements of economic development programs

A. In order to promote employment opportunities for young people and to train a skilled workforce in Louisiana, each employer that participates in an economic development program, as defined in R.S. 51:935.1, and receives fiscal benefits for the construction of a new facility or the expansion of an existing facility shall designate no less than two percent of the man-hours in any apprenticeable occupation to apprentices who are registered pursuant to this Chapter.

B. The director of apprenticeship shall approve all apprenticeship

1 agreements that are in furtherance of this Section and that meet the standards
2 established in this Chapter.

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

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

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

15 §934. Registered apprenticeship program requirements

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

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

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

27 B. If there is an insufficient number of registered apprentices available
28 for employment with a particular construction project, the requirements of
29 Paragraph (1) of this Subsection are to be waived only to the extent that such

1 **insufficiency is certified by the secretary of the Louisiana Workforce**
2 **Commission, as provided for in R.S. 23:388.1.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka Butler.

DIGEST

SB 248 Original

2022 Regular Session

Luneau

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.

Effective August 1, 2022.

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