

2023 -- H 6287

=====
LC002708
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS

Introduced By: Representatives Slater, and Diaz

Date Introduced: April 19, 2023

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-6-24 and 5-6-24.1 of the General Laws in Chapter 5-6 entitled
2 "Electricians" are hereby amended to read as follows:

3 **5-6-24. Apprentices — Registration.**

4 (a) This chapter does not forbid the employment of one properly ~~limited-registered~~
5 registered apprentice electrician working with and under the direct personal supervision of ~~a~~ an
6 appropriately licensed journeyman electrician. Additionally, this chapter does not forbid the
7 employment of: (1) One properly registered apprentice journeyman working with and under the
8 direct personal supervision of a licensed journeyman; (2) One properly registered apprentice fire
9 alarm installer working with and under the ~~direct-personal~~ supervision of a licensed fire alarm
10 installer; (3) Two (2) properly registered apprentice electrical sign installers working with and
11 under the direct personal supervision of a licensed electrical sign installer; (4) One properly
12 registered apprentice maintenance electrician working with and under the direct personal
13 supervision of a valid ~~Class C or Class D~~ Class M license holder; or (5) One properly registered
14 apprentice lightning-protection installer working with and under the direct personal supervision of
15 a licensed lightning-protection installer (LPI). Apprentices are required to register with the division
16 of professional regulation immediately upon employment with a properly licensed electrical
17 contractor or lightning-protection contractor.

18 (b) ~~Indentured~~ Registered apprentice electricians are required to work a minimum of eight
19 thousand (8,000) hours over a period of time of not less than four (4) years and successfully

1 complete one hundred forty-four (144) hours of related instruction per year in ~~an indentured a~~
2 registered apprenticeship program approved by the Rhode Island department of labor and training,
3 to qualify for the journeyman “B” electrician examination; provided, however, registered
4 apprentices may receive credit for one hundred forty-four (144) hours of classroom training gained
5 in a vocational school authorized by the board of education, or a maximum of two hundred eighty-
6 eight (288) hours of classroom training gained over two (2) academic years (one hundred forty-
7 four (144) per academic year), upon the successful completion of a course of study in a fully
8 accredited trade school that has been approved by the Rhode Island office of postsecondary
9 commissioner and by the Rhode Island department of labor and training apprenticeship council.
10 Provided, that the test applicant has possessed, for at least four (4) years prior to the filing of the
11 application, a certificate of registration in full force and effect from the department of labor and
12 training of Rhode Island specifying the person as ~~an indentured a registered~~ apprentice, and the
13 application of an applicant is accompanied by an affidavit or affidavits of his or her employer or
14 former employers or other reasonably satisfactory evidence showing that the applicant has been
15 actually engaged in eight thousand (8,000) hours of electrical work as ~~an a registered~~ apprentice in
16 Rhode Island during those four (4) years; or the application is accompanied by an affidavit or other
17 reasonably satisfactory evidence showing that the applicant has successfully completed a course of
18 study in a recognized college or university and has pursued a course of electrical technology for at
19 least two (2) academic years or is the recipient of an associate degree in electrical technology, and
20 has thereafter been ~~indentured registered~~ by the department of labor and training as an apprentice
21 for at least four (4) years and employed as ~~an indentured a registered~~ apprentice while supervised
22 by a duly licensed journeyman electrician employed under a master in this state for a period of
23 four (4) years; or a showing that the applicant possesses a certificate of license issued under the
24 laws of another state, based on training equal to that required by the state of Rhode Island. ~~Limited-~~
25 ~~registered apprentice electricians shall be required to work a minimum of four thousand (4,000)~~
26 ~~hours over a period of time of not less than two (2) years.~~

27 (c) ~~Indentured Registered~~ apprentice maintenance electricians are required to work a
28 minimum of six thousand (6,000) hours over a period of time of not less than three (3) years and
29 successfully complete one hundred forty-four (144) hours of related instruction per year in ~~an~~
30 ~~indentured a registered~~ apprenticeship program approved by the Rhode Island department of labor
31 and training, to qualify for the journeyman “M” electrician examination. Provided, however, that
32 the test applicant has possessed for at least three (3) years prior to the filing of the application a
33 certificate of registration in full force and effect from the department of labor and training
34 specifying the person as ~~an indentured a registered~~ apprentice, and the application of an applicant

1 is accompanied by an affidavit or affidavits of his or her employer or former employers or other
2 reasonably satisfactory evidence showing that the applicant has been actually engaged in electrical
3 work as an apprentice in Rhode Island during those three (3) years [as outlined in the registered](#)
4 [apprenticeship program standards](#). Class M journeyperson electricians may qualify to take the
5 journeyperson "B" electrician examination upon registering as a fourth-year apprentice ~~and~~
6 ~~becoming~~ [working under the supervision of journeyperson "B" electrician while](#) employed by a
7 properly licensed Class A electrical contractor [that sponsors, or participates in, an appropriately-](#)
8 [designed registered apprenticeship program](#) for that period of time.

9 (d) ~~Apprentice~~ [Registered apprentice](#) lightning-protection installers are required to work a
10 minimum of four thousand (4,000) hours over a period of time of not less than two (2) years [in a](#)
11 [registered apprenticeship program approved by the Rhode Island department of labor and training](#)
12 to qualify for the lightning-protection installer (LPI) examination. Provided, that the test applicant
13 has possessed for at least two (2) years prior to the filing of the application a certificate of
14 registration in full force and effect from the department of labor and training specifying the person
15 as an apprentice lightning-protection installer, and the application of an applicant is accompanied
16 by an affidavit or affidavits of his or her employer or former employers or other reasonably
17 satisfactory evidence showing that the applicant has been actually engaged in lightning-protection
18 work as an apprentice during those two (2) years [as outlined in the registered apprenticeship](#)
19 [program standards](#).

20 **5-6-24.1. Apprentices certified by other states** **Apprentices registered in other states.**

21 ~~Any apprentice electrician holding an apprentice certificate, license, or equivalent~~
22 ~~document issued by another state shall register with and obtain the approval of the division of~~
23 ~~professional regulation in the department of labor and training prior~~ [Prior](#) to being permitted to
24 work ~~or serve~~ as an electrician's apprentice in this state, [any apprentice electrician registered by](#)
25 [another registration agency in a neighboring state shall obtain reciprocal recognition from the](#)
26 [Rhode Island department of labor and training pursuant to § 28-45-16.](#) ~~Provided, no approval shall~~
27 ~~be granted unless the applicant demonstrates to the board that the applicant is currently enrolled in~~
28 ~~one hundred forty four (144) hours of electrical related classroom instruction per year for not less~~
29 ~~than four (4) years in an indentured apprenticeship program approved by the department of labor~~
30 ~~and training.~~

31 SECTION 2. Chapter 5-6 of the General Laws entitled "Electricians" is hereby amended
32 by adding thereto the following sections:

33 **5-6-24.2. Apprentices - Exam requirements.**

34 [To be eligible applicants for electrical licensing exams, apprentices shall complete an](#)

1 applicable registered apprenticeship program in Rhode Island. Apprentices shall provide transcripts
2 of completed related instruction and work record books from employer(s), or other reasonably
3 satisfactory evidence, to document completion of a registered apprenticeship program appropriate
4 to the license being applied for.

5 **5-6-24.3. Credit for electrical license exams.**

6 (a) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior
7 learning or experience pursuant to §§ 28-45-9(2)(xii) or 28-45-9.2 shall also require the written
8 approval of the electrical board of examiners of the Rhode Island department of labor and training.
9 Registered apprentices may receive credit for one hundred forty-four (144) hours of classroom
10 training gained in a vocational school authorized by the board of education, or a maximum of two
11 hundred eighty-eight (288) hours of classroom training gained over two (2) academic years (one
12 hundred forty-four (144) hours per academic year), upon the successful completion of a course of
13 study in a fully accredited trade school that has been approved by the Rhode Island office of
14 postsecondary commissioner and by the Rhode Island department of labor and training
15 apprenticeship council.

16 (b) For licensing purposes, on-the-job learning hours required as part of a registered
17 apprenticeship program by license type are as follows:

18 (1) At minimum, an electrician apprenticeship program for a Class B license shall include
19 eight thousand (8,000) hours of on-the-job learning.

20 (2) At minimum, a maintenance electrician apprenticeship program for a Class M license
21 shall include six thousand (6,000) hours of on-the-job learning.

22 (3) At minimum, a lightning protection installer apprenticeship program shall include four
23 thousand (4,000) hours of on-the-job learning.

24 (4) All registered apprenticeship programs shall include one hundred forty-four (144) hours
25 of related instruction, including, but not limited to, classroom training, provided concurrently with
26 each two thousand (2,000) hours period of on-the-job learning.

27 SECTION 3. Sections 5-20-4.1, 5-20-5, 5-20-10, 5-20-17, 5-20-17.1, 5-20-17.2 and 5-20-
28 25 of the General Laws in Chapter 5-20 entitled "Plumbers, Irrigators, and Water System Installers"
29 are hereby amended to read as follows:

30 **5-20-4.1. "Apprentice irrigator" defined.**

31 "Apprentice irrigator," as used in this chapter, means a person hired to perform all phases
32 of an irrigation project and registered as an apprentice pursuant to § 28-45-13 working under the
33 supervision of a master irrigation licensee or a licensed journeyman irrigator for a period of one
34 year.

1 **5-20-5. “Apprentice plumber” defined.**

2 “Apprentice plumber,” as used in this chapter, means any employee [registered as an](#)
3 [apprentice pursuant to § 28-45-13](#), whose principal occupation is service with a master plumber
4 with a view to learning the art or trade of maintenance, installation, or repair of plumbing, as defined
5 in § 5-20-2.

6 **5-20-10. Work for which apprentice certificate required.**

7 No person shall engage to work as an apprentice plumber, unless that person possesses and
8 carries on his or her person at all times while engaged, a certificate of registration in full force and
9 effect from the department of labor and training specifying that person ~~as~~ [has registered as](#) an
10 apprentice plumber, an apprentice irrigator, or an apprentice water-filtration/treatment-system
11 installer [pursuant to § 28-45-13](#).

12 **5-20-17. Qualifications of journeyman — Application fee.**

13 (a) No application for a journeyman’s license shall be filed at the department of labor
14 and training nor shall any applicant be permitted to take the examination for a license as a
15 journeyman plumber, unless:

16 (1) The application is accompanied by a nonrefundable application fee of seventy-five
17 dollars (\$75.00); and

18 (2) The applicant shall have possessed, for at least four (4) years prior to the filing of the
19 application, a certificate of registration in full force and effect from the department of labor and
20 training specifying that person as a registered apprentice plumber [pursuant to § 28-45-13](#) and the
21 application of that applicant is accompanied with an affidavit or affidavits of his or her employer
22 or former employers or other reasonably satisfactory evidence showing that the applicant has been
23 actually engaged in plumbing work as an apprentice plumber in the state of Rhode Island for eight
24 thousand (8,000) hours of on-the-job training ~~during a five-year (5) period~~, which shall include the
25 successful completion of five hundred seventy-six (576) hours of related instruction at a training
26 program recognized by the department of labor and training; provided, however, the apprentice
27 may receive credit for one hundred forty-four (144) hours of classroom training applied against the
28 five hundred seventy-six (576) hours required pursuant to this section, gained in a vocational school
29 authorized by the council on elementary and secondary education; and approved by the Rhode
30 Island department of labor and training state apprenticeship council.

31 (3) ~~The application is accompanied with an affidavit or other reasonably satisfactory~~
32 ~~evidence showing that the applicant has been a registered student in a recognized college,~~
33 ~~university, or trade school and has pursued a course of plumbing or sanitary engineering for at least~~
34 ~~two (2) academic years; or~~

1 ~~(4) The applicant is the recipient of an associate degree in either plumbing or sanitary~~
2 ~~engineering, and has been registered by the department of labor and training as an apprentice~~
3 ~~plumber for at least two (2) years and at all times while being employed as a registered apprentice~~
4 ~~plumber by a duly licensed master plumber in this state for a period of two (2) years; or~~

5 (5) The application is accompanied by an affidavit or other reasonably satisfactory
6 evidence showing that the applicant possesses a certificate of license, issued under the laws of
7 another state, provided that the requirements are the same as the state specifying that person as a
8 journeyman plumber.

9 (6) The records of the hours of on-the-job training and the hours of related instruction
10 [completed as part of the registered apprenticeship program pursuant to § 28-45-9](#) should be
11 maintained in a mutually responsible manner, through a joint effort on the part of the master
12 plumber and the apprentice [and provided as part of the application](#).

13 (7) The completed application is to be filed with the department at least fifteen (15) days
14 prior to the examination date.

15 **5-20-17.1. Qualifications of journeyman irrigator -- Application fee.**

16 No application for a journeyman's license shall be filed at the department of labor and
17 training nor shall any applicant be permitted to take the examination for a license as a journeyman
18 irrigator unless:

19 (1) The application is accompanied with the nonrefundable application fee of seventy-five
20 dollars (\$75.00); and

21 (2) The applicant possesses a current apprentice certificate [pursuant to § 28-45-13](#) for a
22 period of one year before application for journeyman irrigator is made.

23 **5-20-17.2. Qualifications of journeyman water-filtration/treatment-system installer**
24 **-- Application fee.**

25 No application for a journeyman's license shall be filed at the department of labor and
26 training nor shall any applicant be permitted to take the examination for a license as a journeyman
27 water-filtration/treatment-system installer unless:

28 (1) The application is accompanied with the nonrefundable application fee of seventy-five
29 dollars (\$75.00); and

30 (2) The applicant possesses a current apprentice certificate [pursuant to § 28-45-13](#) for a
31 period of one year before application for journeyman water-filtration/treatment-system installer
32 is made.

33 **5-20-25. Registration of apprentices.**

34 (a) Any person who has agreed to work a minimum of eight thousand (8,000) hours over a

1 period of time of not less than five (5) years under the direct supervision and instruction of a master
2 plumber or journeyman plumber as an apprentice to learn the plumbing business, and that
3 agreement is approved by the division of professional regulation, shall be registered by the director
4 of the department of labor and training and have issued to him or her a certificate showing that
5 person to be a registered apprentice [pursuant to § 28-45-13](#).

6 (b) Any person who has agreed to work a minimum of two thousand (2,000) hours over a
7 period of time of not less than one year under the direct supervision and instruction of a master
8 irrigator or a journeyman irrigator as an apprentice to learn the irrigation business, and that
9 agreement is approved by the division of professional regulation, shall be registered by the director
10 of the department of labor and training and have issued to him or her a certificate showing that
11 person to be a registered apprentice [pursuant to § 28-45-13](#).

12 (c) Any person who has agreed to work a minimum of two thousand (2,000) hours over a
13 period of time of not less than one year, under the direct supervision and instruction of a master
14 water-filtration/treatment-system installer or a journeyman water-filtration/treatment-system
15 installer, as an apprentice to learn the water-filtration/treatment business, and that agreement is
16 approved by the division of professional regulation, shall be registered by the director of the
17 department of labor and training and have issued to him or her a certificate showing that person to
18 be a registered apprentice [pursuant to § 28-45-13](#).

19 SECTION 4. Chapter 5-20 of the General Laws entitled "Plumbers, Irrigators, and Water
20 System Installers" is hereby amended by adding thereto the following sections:

21 **5-20-25.1. Apprentices -- Exam requirements.**

22 [To be eligible applicants for plumbing licensing exams, apprentices shall complete an](#)
23 [applicable registered apprenticeship program in Rhode Island. Apprentices shall provide transcripts](#)
24 [of completed related instruction and work record books from employer\(s\), or other reasonably](#)
25 [satisfactory evidence, to document completion of a registered apprenticeship program appropriate](#)
26 [to the license being applied for.](#)

27 **5-20-25.2. Credit for plumbing license exam.**

28 [\(a\) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior](#)
29 [learning or experience pursuant §§ 28-45-9\(2\)\(xii\) or 28-45-9.2 shall also require the written](#)
30 [approval of the state board of plumbing examiners of the Rhode Island department of labor and](#)
31 [training. Apprentices may receive credit for one hundred forty-four \(144\) hours of classroom](#)
32 [training gained in a career and technical education program authorized by the board of education,](#)
33 [or a maximum of two hundred eighty-eight \(288\) hours of classroom training gained over two \(2\)](#)
34 [academic years \(one hundred forty-four \(144\) hours per academic year\), upon the successful](#)

1 completion of a course of study in a fully accredited trade school that has been approved by the
2 Rhode Island office of postsecondary commissioner and by the Rhode Island department of labor
3 and training apprenticeship council.

4 (b) For licensing purposes, on-the-job learning hours required as part of a registered
5 apprenticeship program by license type are as follows:

6 (1) At minimum, a plumbing apprenticeship program shall include eight thousand (8,000)
7 hours of on-the-job learning.

8 (2) At minimum, an irrigator apprenticeship program shall include two thousand (2,000)
9 hours of on-the-job learning.

10 (3) At minimum, a water filtration/treatment-system apprenticeship program shall include
11 two thousand (2,000) hours of on-the-job learning.

12 (4) All registered apprenticeship programs shall include one hundred forty-four (144) hours
13 of related instruction, including, but not limited to, classroom training, provided concurrently with
14 each two thousand (2,000) hours period of on-the-job learning.

15 SECTION 5. Section 5-70-5 of the General Laws in Chapter 5-70 entitled
16 "Telecommunications" is hereby amended to read as follows:

17 **5-70-5. Form of license and registration.**

18 Three (3) major forms of license shall be issued with the two (2) higher licenses carrying
19 certification for one or more of the four (4) category(s), as defined within this chapter, for which
20 qualified:

21 (1) Telecommunications system contractor.(i) TSC license shall be issued to any person
22 qualified under this chapter representing themselves, individually, or a firm or corporation
23 engaging in, or about to engage in, the business of designing, installing, altering, servicing, and/or
24 testing telecommunications systems.

25 (ii) Qualification shall be evidenced by passing the examination(s) for any or all of the
26 categories of telecommunications systems described in this chapter, and applicants who hold an
27 equivalent out-of-state license, as determined by this board, issued by another state shall be allowed
28 to take the Rhode Island form TSC license examination. Applicants for TSC license who hold no
29 equivalent form of TSC license issued in another state and show evidence of three (3) years of
30 verifiable and continuous contracting experience, immediately preceding the date of application
31 and are registered to conduct business in the state of Rhode Island, will be allowed to take the
32 Rhode Island form of TSC examination. Applicants who do not meet these qualifications shall have
33 been licensed as a Rhode Island telecommunication systems technician for a minimum of three (3)
34 consecutive years, immediately preceding the date of application, in order to qualify to take the

1 TSC examination, and shall have been registered to conduct business in the state of Rhode Island.

2 (iii) The holding of a TSC license shall entitle the holder individually to contract for,
3 engage in, and/or perform the actual work of designing, installing the type(s) of
4 telecommunications systems for which they were granted certification. No individual shall be
5 required to hold more than one form of license.

6 (2) Telecommunications systems technician.(i) TST license shall be issued to any person
7 who passes the examination(s) as defined within this chapter for any or all of the categories of
8 telecommunications systems described in this chapter.

9 (ii) The holding of a TST license shall entitle the holder individually to perform the actual
10 work of installing, altering, servicing, and/or testing the type(s) of telecommunications systems for
11 which they were granted certification. All the work performed shall be under the supervision of the
12 holder of a TSC license.

13 (3) Telecommunications system limited installer.(i) TSLI license shall be issued to any
14 person who passes the examination as defined within this chapter and as described in this section.

15 (ii) The holding of a TSLI license shall entitle the holder to perform the actual work of
16 installation of wiring, low-voltage surface raceway, enclosures, and wiring devices directly
17 associated with a telecommunications system. Connection to, installation of, or servicing of
18 telecommunications devices shall only be performed under the direct supervision of a holder of a
19 TST or TSC license.

20 (4) Trainee/telecommunications apprentice.(i) Registered ~~trainees/telecommunications~~
21 telecommunications apprentices pursuant to § 28-45-13 may be employed to perform the actual
22 work of installation of wiring, low-voltage surface raceway, enclosures, and wiring devices directly
23 associated with a telecommunications system under the direct supervision of a holder of a TST or
24 TSC license.

25 (ii) Trainees/telecommunication apprentices shall be required to register with the ~~licensing~~
26 ~~authority~~ Rhode Island department of labor and training subsequent to employment by a person,
27 firm, or corporation licensed as a TSC under this chapter; and prior to being permitted to perform
28 any actual installation work.

29 (iii) The registered ~~trainee/telecommunication~~ telecommunication apprentice shall not be
30 permitted to make connection to, install, or service telecommunications devices. No more than two

31 (2) registered ~~trainees/telecommunication~~ telecommunication apprentices can be directly
32 supervised by a single TSC or TST license holder.

33 SECTION 6. Chapter 28-4 of the General Laws entitled "Indenture of Apprentices" is
34 hereby repealed in its entirety.

1 CHAPTER 28-4

2 Indenture of Apprentices

3 **28-4-1. Power of minor to execute indenture.**

4 Any minor being sixteen (16) years of age or over, or who, being under sixteen (16) years
5 of age, has a limited permit to work given him or her by or under the direction of the school
6 committee where the minor resides under the provisions of chapter 3 of this title, may, by execution
7 of an indenture, bind himself or herself as provided in this chapter, for a term of service of not less
8 than one year.

9 **28-4-2. Parties to sign indenture.**

10 Every indenture shall be signed:

11 (1) By the minor;

12 (2) By the parents, or either one of them, as the natural guardians or guardian of the minor;
13 or by the duly appointed legal guardian of the person, or of the person and estate of the minor, if
14 any; or by the person having the legal custody of the minor;

15 (3) By the employer.

16 **28-4-3. Contents of indenture.**

17 Every indenture shall contain:

18 (1) The names of the parties;

19 (2) The date of birth of the minor;

20 (3) A statement of the trade, craft, or business which the minor is to be taught;

21 (4) An agreement that a certificate shall be given to the apprentice at the conclusion of his
22 or her indenture, stating that he or she has completed the apprenticeship under the indenture.

23 **28-4-4. Deeds in triplicate.**

24 In every case there shall be three (3) deeds in the same form and tenor, executed by all
25 parties, one to be kept by each party.

26 **28-4-5. Effect of indenture as against parties.**

27 All indentures made in accordance with the provisions of §§ 28-4-1—28-4-4 shall be
28 good and effectual in law against all parties and the minor engaged by them, according to their
29 tenor, except as to any of their provisions that the court, in which any suit or controversy relating
30 to the articles of indenture may be heard, shall determine to be unjust or unreasonable.

31 **28-4-6. Petition or complaint for breach of indenture—Summons.**

32 Whenever a petition or complaint in writing and under oath is made to any judge of the
33 district court that any master or apprentice, within a division where the court is situated, has
34 willfully neglected or refused to comply with or perform the terms and provisions of any indenture,

1 ~~the judge, if satisfied that there is a reasonable cause for the petition or complaint, shall issue a~~
2 ~~summons requiring the master or apprentice to appear before the court at a time and place named~~
3 ~~in the summons to answer relative to the petition or complaint. The petitioner or complainant shall~~
4 ~~cause the summons to be served by some officer qualified to serve civil process upon the person~~
5 ~~complained of at least six (6) days before the time set for appearance and hearing by reading the~~
6 ~~summons to the person to be served, or by leaving an attested copy of it with the person to be served~~
7 ~~in his or her hands and possession, or at his or her last and usual place of abode with some person~~
8 ~~living there, or if the person to be served is a corporation, then, by leaving an attested copy of the~~
9 ~~summons with some officer of the corporation or at the office of the corporation with some person~~
10 ~~employed there.~~

11 **28-4-7. Determination of petition or complaint — Enforcement of order.**

12 ~~Upon the hearing of a petition or complaint, the court may determine the controversy or~~
13 ~~matter complained of in a summary way, and discharge either party from the indenture and contract~~
14 ~~of apprenticeship, and may make any further order in the premises that the case may require and~~
15 ~~seems proper to the court. Any neglect or failure of any person, against whom any order is made,~~
16 ~~to do, perform, or comply with the order shall be contempt of court, and the court may enforce its~~
17 ~~order by proceedings for contempt.~~

18 SECTION 7. Sections 28-27-4.1, 28-27-4.2, 28-27-4.3, 28-27-5.1, 28-27-5.2, 28-27-11,
19 28-27-17 and 28-27-18 of the General Laws in Chapter 28-27 entitled "Mechanical Trades" are
20 hereby amended to read as follows:

21 **28-27-4.1. "Journeyman refrigeration technician" defined.**

22 "Journeyman refrigeration technician" means any person who has completed ~~a five-year~~
23 ~~(5) apprentice~~ an appropriate ten thousand (10,000) hour registered apprenticeship program in
24 accordance with chapter 45 of title 28, and/or and has passed a refrigeration technician examination
25 and who ~~by him or herself~~ does work in refrigeration/air conditioning subject to provisions of this
26 chapter and the rules, regulations, and licensing criteria promulgated hereunder.

27 **28-27-4.2. "Journeyman pipefitter," "journeyman sheet metal worker," and**
28 **"journeyman sprinkler fitter" defined.**

29 (a) "Journeyman pipefitter" means any person who has completed ~~a five-year (5)~~
30 ~~apprentice~~ an appropriate ten thousand (10,000) hour registered apprenticeship program in
31 accordance with chapter 45 of title 28, and/or and has passed a journeyman examination and who
32 ~~by himself or herself~~ does work on pipefitting systems subject to provisions of this chapter. The
33 rules, regulations, and licensing criteria guide promulgated under this chapter referencing Class II
34 limited journeyman licenses shall require completion of an accepted formal technical program

1 approved by the department of labor and training.

2 (b) "Journey person sheet metal worker" means any person who has completed ~~a four-year~~
3 ~~(4) an appropriate eight thousand (8,000) hour registered~~ ~~apprentice~~ ~~apprenticeship~~ program ~~in~~
4 ~~accordance with chapter 45 of title 28, and/or~~ ~~and~~ has passed a journey person sheet metal worker
5 examination and who ~~by him or herself~~ does sheet metal work subject to provisions of this chapter
6 and the rules, regulations, and licensing criteria promulgated under this chapter.

7 (c) "Journey person sprinkler fitter" means any person who has completed ~~a four-year (4)~~
8 ~~an appropriate eight thousand (8,000) hour registered~~ ~~apprentice~~ ~~apprenticeship~~ program ~~in~~
9 ~~accordance with chapter 45 of title 28, and/or~~ ~~and~~ has passed a journey person sprinkler fitter
10 examination and who ~~by him or herself~~ does work in fire protection sprinkler systems subject to
11 provisions of this chapter and the rules, regulations, and licensing criteria promulgated under this
12 chapter.

13 ~~28-27-4.3. "Journey person sheet metal worker apprentice," "journey person~~
14 ~~sprinkler fitter apprentice," "pipefitter apprentice," and "refrigeration/air conditioning~~
15 ~~apprentice" defined -- Duration of apprentice programs~~ **"Sheet metal worker apprentice,"**
16 **"sprinkler fitter apprentice," "pipefitter apprentice," and "refrigerator/air conditioning**
17 **apprentice" defined -- Duration of apprentice programs.**

18 (a) ~~"Journey person sheet~~ **Sheet** metal worker apprentice" means any person at least
19 eighteen (18) years of age who is learning or working at the businesses of sheet metal work under
20 the direct supervision of a sheet metal contractor or journey person sheet metal worker ~~under a~~
21 ~~registered state sanctioned apprentice program~~ as a registered apprentice in an appropriate
22 apprenticeship program registered in accordance with chapter 45 of title 28.

23 (b) ~~"Journey person sprinkler~~ **Sprinkler** fitter apprentice" means any person at least eighteen
24 (18) years of age who is learning or working at the business of fire protection sprinkler systems
25 under the direct supervision of a master or journey person sprinkler fitter ~~under a registered state~~
26 ~~sanctioned apprentice program~~ as a registered apprentice in an appropriate apprenticeship program
27 registered in accordance with chapter 45 of title 28.

28 (c) "Pipefitter apprentice" means any person at least eighteen (18) years of age who is
29 learning or working at the business of pipefitting under the direct supervision of a master pipefitter
30 or journey person pipefitter ~~under a registered state sanctioned apprentice program~~ as a registered
31 apprentice in an appropriate apprenticeship program registered in accordance with chapter 45 of
32 title 28.

33 (d) ~~Pipefitter, refrigeration, sprinkler fitter, and sheet metal worker apprentice programs~~
34 ~~are of a five year (5) duration, except as detailed in § 28-27-4.2, for all Class II limited licenses.~~

1 (e) "Refrigeration/air conditioning apprentice" means any person at least eighteen (18)
2 years of age who is learning and working at the business of refrigeration/air conditioning under the
3 direct supervision of a refrigeration/air conditioning master or journeyman ~~under a registered~~
4 ~~state sanctioned apprentice program~~ as a registered apprentice in an appropriate apprenticeship
5 program registered in accordance with chapter 45 of title 28.

6 **28-27-5.1. Practices for which a journeyman or apprentice license required.**

7 (a) No person shall engage to work as a pipefitter, refrigeration/air conditioning, or
8 sprinkler fitter journeyman or apprentice, or journeyman sheet metal worker or apprentice, or
9 shall advertise or represent in any form or matter that he or she is a journeyman or apprentice,
10 unless that person possesses and carries on his or her person at all times while so engaged a valid
11 license issued by the department of labor and training qualifying that person as a journeyman or
12 registered apprentice pursuant to § 28-45-13.

13 (b) A person holding a valid license under this chapter shall not be required to obtain an
14 additional license under this chapter to perform sheet metal work when AC air handling equipment
15 is ten (10) tons or less or when heating equipment does not exceed 250,000 BTUs.

16 (c) A holder of a journeyman license shall only be entitled to work as an employee of
17 the properly licensed master permit holder in accordance with this chapter.

18 **28-27-5.2. Issuance of P.J.F. journeyman oil burnerperson's license.**

19 (a) Any person who has previously qualified for the electrician's F certificate and the P.J.F.
20 II limited to oil individually, and presently holds both licenses, may convert to the single P.J.F.
21 limited journeyman II oil burnerperson's license by application to the division on an approved
22 application and with payment of the applicable fee as detailed in this section. This licensee cannot
23 be self-employed and is limited to domestic oil burner service work, burner, tank, and oil line
24 installation. Persons seeking an initial P.J.F. limited journeyman II oil burner license must show
25 proof of completion of a trade sponsored program or a trade related program offered by a
26 recognized college. All programs must have prior approval of the department of labor and training
27 before licenses are issued.

28 (b) The person seeking P.J.F. licensing must be employed by a master pipefitting contractor
29 class II as detailed under § 28-27-4.

30 (c) The above provisions are similar for most limited licenses under this chapter.

31 (d) Fees shall be as follows:

32 (1) ~~Apprenticeship fee is thirty dollars (\$30.00) with birth-month licensing;~~

33 (2) License fee is seventy-two dollars (\$72.00) with birth-month licensing;

34 (3) Renewal fee is seventy-two dollars (\$72.00) with birth-month licensing;

1 (e) The fees collected shall be deposited as general revenues.

2 **28-27-11. Journeyperson license — Test fees — License fees and qualifications —**

3 **Filing deadline for journeyperson.**

4 (a) No application for a journeyperson’s test shall be filed by the department nor shall any
5 applicant be permitted to take the examination for a license as a journeyperson unless:

6 (1) The test application is accompanied by a test fee as outlined in § 28-27-17;

7 (2) Upon passing of a journeyperson test, payment of a license fee as outlined in § 28-27-
8 17 is required and the journeyperson license will be issued as provided in § 28-27-15; and

9 (3) The applicant has possessed ~~for at least five (5) years~~ prior to the filing of the
10 application a certificate of registration in full force and effect from the department of labor and
11 training specifying the person as a registered apprentice pursuant to § 28-45-13, and the application
12 of an applicant:

13 (i) Is accompanied by an affidavit or affidavits of his or her employer or former employers
14 or other reasonably satisfactory evidence showing that the applicant has been actually engaged in
15 pipefitting or refrigeration/air conditioning, sheet metal or fire protection sprinkler systems work
16 as an apprentice registered for at least ten thousand (10,000) hours in the state of Rhode Island
17 ~~during those five (5) years;~~

18 (ii) Is accompanied by an affidavit or other reasonably satisfactory evidence showing that
19 the applicant has been registered as a student in a recognized college, university, or trade school
20 and has pursued a course of pipefitting or refrigeration/air conditioning, sheet metal or fire
21 protection sprinkler systems for at least two (2) academic years or is the recipient of an associate
22 degree in pipefitting or refrigeration/air conditioning or fire protection sprinkler systems, and has
23 thereafter been registered by the department of labor and training as an apprentice for at least three
24 (3) years and employed as a registered apprentice by a duly licensed pipefitter or refrigeration/air
25 conditioning or fire protection sprinkler systems master or sheet metal contractors in this state for
26 a period of three (3) years; or

27 (iii) Is accompanied by an affidavit or other reasonably satisfactory evidence showing that
28 the applicant possesses a certificate of license issued under the laws of another state specifying that
29 person as a journeyperson; ~~and~~

30 ~~(4) The licensing authority may grant an exemption to the requirements of subsection (a)(3)~~
31 ~~on the basis of past experience.~~

32 (b) The test application is to be filed with the department at least fifteen (15) days prior to
33 the examination date.

34 **28-27-17. Test fees — License fees — Expiration and renewal of licenses.**

1 (a) All licenses issued to the pipefitters/refrigeration technicians and fire protection
 2 sprinkler contractor/sprinkler fitters and sheet metal contractor or journeyman sheet metal worker
 3 detailed in this section shall be paid for as follows:

	TEST	LICENSE	RENEWAL
4 Master Mechanical Contractor	--	480.00	480.00
5 Contractor Master	75.00	240.00	240.00
6 Pipefitter Master I	75.00	240.00	240.00
7 Pipefitter Master II	75.00	96.00	96.00
8 Refrigeration Master I	75.00	240.00	240.00
9 Refrigeration Master II	75.00	96.00	96.00
10 Pipefitter Journeyman I	75.00	72.00	72.00
11 Pipefitter Journeyman II	75.00	60.00	60.00
12 Refrigeration Journeyman I	75.00	72.00	72.00
13 Refrigeration Journeyman II	75.00	60.00	60.00
14 Apprentices (annual fee)		24.00	24.00
15 Fire Protection Sprinkler			
16 Fitters Master I	75.00	240.00	240.00
17 Fire Protection Sprinkler			
18 Fitters Journeyman I	75.00	72.00	72.00
19 Sheet Metal Contractor	75.00	240.00	240.00
20 Sheet Metal Worker			
21 Journeyman	75.00	72.00	72.00

23 (b) ~~Apprenticeship renewal fees shall be paid on an annual basis.~~

24 (c) Every license issued by the division of professional regulation to license holders born
 25 in odd years shall expire on the birthday of the individual qualifying for the license in odd years
 26 and all licenses issued by the division of professional regulation to license holders born in even
 27 years shall expire on the birthday of the individual qualifying for the license in even years and all
 28 licenses may be renewed on or before their expiration date, upon payment of the appropriate fee.
 29 If any credit is due in the initial changeover year the amount of credit shall be determined by the
 30 chief administrator of the division.

31 **28-27-18. Registration of apprentices.**

32 (a) Any person who has agreed to work under the supervision of a licensed pipefitter,
 33 refrigeration/air conditioning, sprinkler fitter, or sheet metal master under ~~a state-sanctioned~~ [an](#)
 34 apprenticeship program ~~shall be registered by the director of labor and training and~~ [registered with](#)

1 [the Rhode Island department of labor and training shall](#) be issued a certificate of apprenticeship
2 [pursuant to § 28-45-13.](#)

3 (b) The minimum formal training period for a P.J.F. limited class II license shall be one
4 hundred sixty (160) hours of classroom and/or laboratory technical training, approved by the
5 department of labor and training. The fee schedules for the P.J.F. limited license are detailed in §
6 28-27-5.2. All other sections of this chapter shall remain in full force and effect.

7 SECTION 8. Chapter 28-27 of the General Laws entitled "Mechanical Trades" is hereby
8 amended by adding thereto the following sections:

9 **28-27-18.1. Apprentices -- Exam requirements.**

10 [To be eligible applicants for mechanical licensing exams, apprentices shall complete an](#)
11 [applicable registered apprenticeship program in Rhode Island. Apprentices shall provide transcripts](#)
12 [of completed related instruction and work record books from employer\(s\), or other reasonably](#)
13 [satisfactory evidence, to document completion of a registered apprenticeship program appropriate](#)
14 [to the license being applied for.](#)

15 **28-27-18.2. Credit for mechanical license exams.**

16 [\(a\) For licensing purposes, decisions by an apprenticeship sponsor to grant credit for prior](#)
17 [learning or experience pursuant to §§ 28-45-9\(2\)\(xii\) or 28-45-9.2 shall also require the written](#)
18 [approval of the state mechanical board of the Rhode Island department of labor and training.](#)
19 [Registered apprentices may receive credit for one hundred forty-four \(144\) hours of classroom](#)
20 [training gained in a career and technical education program authorized by the board of education,](#)
21 [or a maximum of two hundred eighty-eight \(288\) hours of classroom training gained over two \(2\)](#)
22 [academic years \(one hundred forty-four \(144\) hours per academic year\), upon the successful](#)
23 [completion of a course of study in a fully accredited trade school that has been approved by the](#)
24 [Rhode Island office of postsecondary commissioner and by the Rhode Island department of labor](#)
25 [and training apprenticeship council.](#)

26 [\(b\) For licensing purposes, on-the-job learning hours required as part of a registered](#)
27 [apprenticeship program by license type are as follows:](#)

28 [\(1\) At minimum, a pipefitter I apprenticeship program shall include ten thousand \(10,000\)](#)
29 [hours of on-the-job learning.](#)

30 [\(2\) At minimum, a pipefitter II apprenticeship program shall include four thousand \(4,000\)](#)
31 [hours of on-the-job learning.](#)

32 [\(3\) At minimum, a refrigeration I apprenticeship program shall include ten thousand](#)
33 [\(10,000\) hours of on-the-job learning.](#)

34 [\(4\) At minimum, a refrigeration II apprenticeship program shall include four thousand](#)

1 (4,000) hours of on-the-job learning.

2 (5) At minimum, a sprinkler fitter/fire protection apprenticeship program shall include ten
3 thousand (10,000) hours of on-the-job learning.

4 (6) At minimum, a sheet metal worker I apprenticeship program shall include eight
5 thousand (8,000) hours of on-the-job learning.

6 (7) At minimum, a sheet metal worker II apprenticeship program shall include four
7 thousand (4,000) hours of on-the-job learning.

8 (8) All registered apprenticeship programs shall include one hundred forty-four (144) hours
9 of related instruction, including, but not limited to, classroom training, provided concurrently with
10 each two thousand (2,000) hours period of on-the-job learning.

11 SECTION 9. Sections 28-45-1, 28-45-3, 28-45-9, 28-45-10, 28-45-13, 28-45-14 and 28-
12 45-16 of the General Laws in Chapter 28-45 entitled "Apprenticeship Programs in Trade and
13 Industry" are hereby amended to read as follows:

14 **28-45-1. Purposes.**

15 The purposes of this chapter are:

16 (1) To encourage employers, associations of employers, and organizations of employees to
17 voluntarily establish apprenticeship programs and the making of apprenticeship agreements;

18 (2) To create opportunities for ~~young~~ people to obtain employment and adequate training
19 in trades and industry with parallel instructions in related and supplementary education under
20 conditions that will equip them for profitable employment and citizenship;

21 (3) To cooperate with the promotion and development of apprenticeship programs and
22 systems in other states and with the federal committee on apprenticeship appointed under 29 U.S.C.
23 § 50 et seq.; and

24 (4) To provide for the registration and approval of apprenticeship programs and
25 apprenticeship agreements and for the issuance of state certificates of completion of apprenticeship.

26 **28-45-3. Powers and duties.**

27 (a) The department of labor and training is the agency with responsibility and
28 accountability for apprenticeship within Rhode Island for federal purposes. The state
29 apprenticeship council shall be a regulatory council and part of the department of labor and training.
30 The council shall promulgate regulations consistent with 29 C.F.R. Parts 29 and 30 at the direction
31 of the director of the department of labor and training and shall provide advice and guidance to the
32 director of the department of labor and training on the operation of the Rhode Island apprenticeship
33 ~~program~~ system. Enforcement of apprenticeship rules and regulations shall be the duty of the
34 director of the department of labor and training. In addition, the council shall:

- 1 (1) Adopt rules and regulations to ensure equality of opportunity in apprenticeship
2 programs pursuant to the Rhode Island state plan for equal opportunity in apprenticeship;
- 3 (2) Establish trade, craft, manufacturing, or industrial standards for apprenticeship or
4 training agreements in cooperation with a joint employer and employee groups in conformity with
5 29 C.F.R. § 29.5;
- 6 (3) Establish program performance standards in conformity with 29 C.F.R. § 29.6;
- 7 (4) Hold at least four (4) regular public meetings each year; any additional meetings
8 considered necessary shall be held at the call of the chairperson, or at the written request of a
9 majority of the members of the council;
- 10 (5) Formulate and publish rules of procedure for the function of local, regional, and state
11 joint apprenticeship committees and for the filling of vacancies on those committees;
- 12 (6) Adopt rules and regulations concerning the following:
- 13 (i) The contents of apprenticeship agreements in conformity with 29 C.F.R. § 29.7;
- 14 (ii) Criteria for apprenticeable occupations as provided by 29 C.F.R. § 29.4;
- 15 (iii) Reciprocal approval for federal purposes to apprentices, apprenticeship programs, and
16 standards that are registered in other states by the United States Department of Labor or another
17 state apprenticeship program recognized by the United States Department of Labor if such
18 reciprocity is requested by the apprenticeship program sponsor;
- 19 (iv) The cancellation or deregistration of programs, and for temporary suspension,
20 cancellation, or deregistration of apprenticeship agreements as provided in 29 C.F.R. §§ 29.8 and
21 29.9;
- 22 (v) The standards of apprenticeship, program performance standards, apprenticeship
23 agreements, deregistration of registered apprenticeship programs, reinstatement of apprenticeship
24 programs, and reciprocal ~~approval~~ recognition of apprentices from other states.
- 25 (b) The department of labor and training in accord with its regulations and this chapter
26 shall:
- 27 (1) Encourage the promotion, expansion, and improvement of programs of apprenticeship
28 training and pre-apprenticeship and the making of apprenticeship agreements;
- 29 (2) Bring about the settlement of differences arising out of an apprenticeship agreement
30 when those differences cannot be adjusted locally or in accordance with established trade
31 procedure;
- 32 (3) Supervise the execution of agreements and maintenance of standards;
- 33 (4) Register or terminate or cancel the registration of apprenticeship programs and
34 apprenticeship agreements;

- 1 (5) Issue certificates of completion of apprenticeship;
- 2 (6) Keep a record of apprenticeship programs and apprentice agreements and their
3 disposition;
- 4 (7) Render any assistance and submit any information and data that may be requested by
5 employers, employees, and joint apprenticeship committees engaged in the formulation and
6 operation of programs of apprenticeship, particularly in regard to work schedules, wages,
7 conditions of employment, apprenticeship records, and number of apprentices;
- 8 (8) Adopt rules and regulations to insure nondiscrimination in all phases of apprenticeship
9 and employment during apprenticeship;
- 10 (9) Register trade, craft, manufacturing, or industrial standards for apprenticeship or
11 training agreements in cooperation with joint employer and employee groups and in conformity
12 with this chapter, or approve and register trade, craft, manufacturing, or industrial standards for
13 agreements submitted that are in conformity with this chapter, and disapprove those standards or
14 agreements submitted that are not in conformity with this chapter, to the extent deemed appropriate;
- 15 (10) Establish committees and approve nominations to existing committees that are
16 submitted in conformity with this chapter;
- 17 (11) Terminate registration of committees for failure of the committee to abide by the
18 provisions of this chapter; and
- 19 (12) Perform any other duties that are described and imposed by this chapter.

20 **28-45-9. Standards of apprenticeship programs.**

21 An apprenticeship program, to be eligible for approval and registration with the department
22 of labor and training, shall conform to regulations issued by the department of labor and training
23 and 29 C.F.R. Part 29 and 29 C.F.R. Part 30 and shall conform to the following standards:

24 (1) The program is an organized, written plan embodying the terms and conditions of
25 employment, training, and supervision of one or more apprentices in the apprenticeable occupation,
26 as defined in this chapter and subscribed to by a sponsor who has undertaken to carry out the
27 apprentice training program.

28 (2) The program standards contain the equal opportunity pledge prescribed in ~~29 C.F.R. §~~
29 ~~30.3(b)~~ [29 C.F.R. § 30.3\(c\)](#) and, when applicable, an affirmative action plan in accordance with 29
30 C.F.R. § 30.4, a selection method authorized in ~~29 C.F.R. § 30.5~~ [29 C.F.R. § 30.10](#), or similar
31 requirements expressed in a state plan for equal employment opportunity in apprenticeship adopted
32 pursuant to 29 C.F.R. Part 30 and approved by the United States Department of Labor, and
33 provisions concerning the following:

- 34 (i) The employment and training of the apprentice in a skilled occupation;

1 (ii) A term of apprenticeship not less than two thousand (2,000) hours of work experience,
2 consistent with training requirements as established by industry practice, which for an individual
3 apprentice may be measured either through the completion of the industry standard for on-the-job
4 learning (at least two thousand (2,000) hours) (time-based approach), the attainment of competency
5 (competency-based approach), or a blend of the time-based and competency-based approaches
6 (hybrid approach):

7 (A) The time-based approach measures skill acquisition through the individual apprentice's
8 completion of at least two thousand (2,000) hours of on-the-job learning as described in a work
9 process schedule;

10 (B) The competency-based approach measures skill acquisition through the individual
11 apprentice's successful demonstration of acquired skills and knowledge, as verified by the program
12 sponsor. Programs utilizing this approach must still require apprentices to complete an on-the-job
13 learning component of registered apprenticeship. The program standards must address how on-the-
14 job learning will be integrated into the program, describe competencies, and identify an appropriate
15 means of testing and evaluation for such competencies;

16 (C) The hybrid approach measures the individual apprentice's skill acquisition through a
17 combination of specified minimum number of hours of on-the-job learning and the successful
18 demonstration of competency as described in a work process schedule; and

19 (D) The determination of the appropriate approach for the program standards is made by
20 the program sponsor, subject to approval by the registration agency of the determination as
21 appropriate to the apprenticeable occupation for which the program standards are registered;

22 (iii) An outline of the work processes in which the apprentice will receive supervised work
23 experience and training on the job, and the allocation of the approximate time to be spent in each
24 major process;

25 (iv) Provision for organized, related, and supplemental instruction in technical subjects
26 related to the trade. A minimum of one hundred forty-four (144) hours for each year of
27 apprenticeship is recommended. This instruction in technical subjects may be accomplished
28 through media, such as classroom, occupational or industry courses, electronic media, or other
29 instruction approved by the department of labor and training; every apprenticeship instructor must:

30 (A) Meet the Rhode Island department of elementary and secondary education
31 requirements for a vocational-technical instructor, or be a subject matter expert, which is an
32 individual, such as a journey worker, who is recognized within an industry as having expertise in a
33 specific occupation; and

34 (B) Have training in teaching techniques and adult learning styles, which may occur before

1 or after the apprenticeship instructor has started to provide the related technical instruction;

2 (v) A statement of the progressively increasing scale of wages to be paid the apprentice
3 consistent with the skill acquired, the entry wage to be not less than the minimum wage prescribed
4 by the federal and state labor standards act, where applicable, unless a higher wage is required by
5 other applicable federal law, state law, respective regulations, or by collective bargaining
6 agreement;

7 (vi) A provision for periodic review and evaluation of the apprentice's progress in job
8 performance and related instruction, and the maintenance of appropriate progress records;

9 (vii) The numeric ratio of apprentices to journeypersons consistent with proper supervision,
10 training, safety, and continuity of employment, and applicable provisions in collective bargaining
11 agreements, except where the ratios are expressly prohibited by the collective bargaining
12 agreement. The ratio language shall be specific and clear as to application in terms of jobsite, work
13 force, department, or plant;

14 (viii) A probationary period reasonable in relation to the full apprenticeship term, with full
15 credit given for the period toward completion of apprenticeship; the probationary period shall not
16 exceed twenty-five percent (25%) of the length of the program or one year, whichever is shorter;

17 (ix) Adequate and safe equipment and facilities for training and supervision, and safety
18 training for apprentices on the job and in related instruction;

19 (x) The minimum qualifications required by a sponsor for persons entering the
20 apprenticeship program, with an eligible starting age not less than sixteen (16) years;

21 (xi) The placement of an apprentice under a written apprenticeship agreement that
22 conforms to the requirements of this chapter. The agreement shall directly, or by reference,
23 incorporate the standards of the program as part of the agreement;

24 (xii) The granting of advanced standing or credit for demonstrated competency, previously
25 acquired experience, training, or skills for all applicants equally, with commensurate wages for any
26 progression step so granted;

27 (xiii) The transfer of an apprentice between apprenticeship programs and within an
28 apprenticeship program must be based on agreement between the apprentice and the affected
29 apprenticeship committees or program sponsors, and must comply with the following requirements:

30 (A) The transferring apprentice must be provided a transcript of related instruction and on-
31 the-job learning by the committee or program sponsor;

32 (B) Transfer must be to the same occupation; and

33 (C) A new apprenticeship agreement must be executed when the transfer occurs between
34 program sponsors;

- 1 (xiv) Assurance of qualified training personnel and adequate supervision on the job;
- 2 (xv) Recognition for successful completion of apprenticeship evidenced by an appropriate
3 certificate issued by the department of labor and training;
- 4 (xvi) Program standards that utilize the competency-based or hybrid approach for
5 progression through an apprenticeship and that choose to issue interim credentials must clearly
6 identify the interim credentials; demonstrate how these credentials link to the components of the
7 apprenticeable occupation; and establish the process for assessing an individual apprentice's
8 demonstration of competency associated with the particular interim credential; further, interim
9 credentials must only be issued for recognized components of an apprenticeable occupation,
10 thereby linking interim credentials specifically to the knowledge, skills, and abilities associated
11 with those components of the apprenticeable occupation;
- 12 (xvii) Identification of the department of labor and training as the registration agency;
- 13 (xviii) Provision for the registration, cancellation, and deregistration of the program, and
14 requirement for the prompt submission of any modification or amendment to the department of
15 labor and training for approval;
- 16 (xix) Provision for registration of apprenticeship agreements, modifications, and
17 amendments; notice to the department of labor and training of persons who have successfully
18 completed apprenticeship programs; and notice of transfers, cancellations, suspensions, and
19 terminations of apprenticeship agreements and a statement of the reasons therefor;
- 20 (xx) Authority for the cancellation of an apprenticeship agreement during the probationary
21 period by either party without stated cause. Cancellation during the probationary period will not
22 have an adverse impact on the sponsor's completion rate;
- 23 (xxi) Compliance with 29 C.F.R. Part 30, including the equal opportunity pledge prescribed
24 in 29 C.F.R. § 30.3(b); an affirmative action plan complying with 29 C.F.R. § 30.4; and a method
25 for the selection of apprentices authorized by 29 C.F.R. § 30.5, or compliance with parallel
26 requirements contained in a state plan for equal opportunity in apprenticeship adopted under 29
27 C.F.R. Part 30 and approved by the department. The apprenticeship standards must also include a
28 statement that the program will be conducted, operated, and administered in conformity with
29 applicable provisions of 29 C.F.R. Part 30, as amended, or if applicable, an approved state plan for
30 equal opportunity in apprenticeship;
- 31 (xxii) Name and address, telephone number, and e-mail address (if applicable) of the
32 appropriate authority under the program to receive, process, and make disposition of complaints;
- 33 (xxiii) Recording and maintenance of all records concerning apprenticeship as may be
34 required by the office of apprenticeship or the department of labor and training and other applicable

1 law.

2 **28-45-10. Definitions.**

3 For the purposes of this chapter:

4 (1) “Apprenticeable occupation” [is an occupation](#) which possesses all of the following
5 characteristics:

6 (i) It is customarily learned in a practical way through a structured, systematic program of
7 on-the-job supervised learning.

8 (ii) It is clearly identified and commonly recognized throughout an industry.

9 (iii) It involves the progressive attainment of manual, mechanical, or technical skills and
10 knowledge, which is in accordance with the industry standard for the occupation, that requires the
11 completion of at least a minimum of two thousand (2,000) hours of on-the-job learning to attain
12 experience.

13 (iv) It requires related instruction to supplement the on-the-job learning.

14 (2) “Apprenticeship agreement” means a written agreement complying with 29 C.F.R. §
15 29.7 between an apprentice and either the apprenticeship program sponsor, or an apprenticeship
16 committee acting as agent for the program sponsor(s), that contains the terms and conditions of the
17 employment and training of the apprentice.

18 (3) “Council” means the apprenticeship council as established by § 28-45-2.

19 (4) “OA” means office of apprenticeship, United States Department of Labor.

20 (5) “Secretary” means Secretary of the United States Department of Labor.

21 **28-45-13. Standards of apprenticeship agreements.**

22 All apprenticeship agreements submitted for approval and registration with the department
23 of labor and training shall contain explicitly or by reference standards adopted by the council,
24 including:

25 (1) Names and signatures of the contracting parties (apprentice and the program sponsor
26 or employer), and the signature of a parent or guardian if the apprentice is a minor.

27 (2) The date of birth of the apprentice and on a voluntary basis the social security number
28 of the apprentice.

29 (3) Name and address of the program sponsor and the registration agency.

30 (4) A statement of the occupation, trade, or craft in which the apprentice is to be trained,
31 and the beginning date and term (duration) of apprenticeship.

32 (5) A statement showing:

33 (i) The number of hours to be spent by the apprentice in work on the job in a time-based
34 program or a description of the skill sets to be attained by completion of a competency-based

1 program, including the on-the-job learning component; or the minimum number of hours to be
2 spent by the apprentice and a description of the skill sets to be attained by completion of a hybrid
3 program.

4 (ii) The number of hours to be spent in related and supplemental instruction in technical
5 subjects related to the occupation which is recommended to be not less than one hundred forty-four
6 (144) hours per year.

7 (6) A statement setting forth a schedule of the work processes in the occupation or industry
8 divisions in which the apprentice is to be trained and the approximate time to be spent at each
9 process.

10 (7) A statement of the graduated scale of wages to be paid the apprentice and whether or
11 not the required related instruction shall be compensated.

12 (8) Statements providing:

13 (i) For a specific period of probation during which time the apprenticeship agreement may
14 be terminated by either party to the agreement upon written notice to the department of labor and
15 training, without adverse impact on the sponsor; and

16 (ii) That, after the probationary period, the agreement may be canceled at the request of the
17 apprentice, or may be suspended, or terminated by the sponsor, for good cause, with due notice to
18 the apprentice and a reasonable opportunity for corrective action, and with written notice to the
19 apprentice and to the department of labor and training of the final action taken.

20 (9) A reference incorporating as part of the agreement the standards of the apprenticeship
21 program as it exists on the date of the agreement and as it may be amended during the period of the
22 agreement.

23 (10) A statement that the apprentice will be accorded equal opportunity in all phases of
24 apprenticeship employment, and training, without discrimination because of race, color, religion,
25 ~~national origin, or~~ sex, sexual orientation, gender identity or expression, disability, age, or country
26 of ancestral origin, as set forth in § 28-5-5.

27 (11) Name and address, ~~phone~~ telephone number, and e-mail address (if applicable) of the
28 appropriate authority, if any, designated under the program to receive, process, and make
29 disposition of controversies or differences arising out of the apprenticeship agreement when the
30 controversies or differences cannot be adjusted locally or resolved in accordance with the
31 established procedure or applicable collective bargaining provisions.

32 **28-45-14. State EEO plan.**

33 The state apprenticeship ~~program~~ system shall operate in conformance with the state ~~law,~~
34 ~~including the equal employment opportunity standards and regulations~~ plan for equal employment

1 [opportunity in registered apprenticeship programs as adopted by the Rhode Island department of](#)
2 [labor and training.](#)

3 **28-45-16. Reciprocity.**

4 (a) When a sponsor of ~~an~~ [a registered](#) apprenticeship program ~~registered and operating~~ in
5 a neighboring state requests ~~registration~~ [reciprocal recognition](#) from the department of labor and
6 training to train apprentices for work projects in this state, the sponsor shall be granted ~~registration~~
7 [recognition](#), providing the sponsor conforms with the regulations and standards of the state of
8 Rhode Island [for the occupation](#).

9 (b) ~~An apprentice registered in an approved registered apprenticeship program in a~~
10 ~~neighboring state will be awarded certification of registration for state purposes upon request and~~
11 ~~on the condition that the neighboring state's sponsorship program is registered with the appropriate~~
12 ~~state apprentice agency.~~

13 (c) The department of labor and training shall have the authority to expand or limit the
14 number of states that are subject to the provisions of subsection (a) by regulation through the
15 promulgation of rules and regulations.

16 (d) The department of labor and training shall accord reciprocal approval for federal
17 purposes to apprentices, apprenticeship programs, and standards that are registered ~~in other states~~
18 ~~by the United States Department of Labor~~ [by another registration agency as defined in 29 C.F.R. §](#)
19 [29.2](#) ~~or a registration agency recognized by the United States Department of Labor~~ if the reciprocity
20 is requested by the apprenticeship program sponsor. Program sponsors seeking reciprocal approval
21 must meet Rhode Island wage and hour provisions and apprentice ratio standards.

22 SECTION 10. Section 28-45-18 of the General Laws in Chapter 28-45 entitled
23 "Apprenticeship Programs in Trade and Industry" is hereby repealed.

24 **~~28-45-18. Vocational school training.~~**

25 (a) ~~The council on elementary and secondary education may authorize vocational schools~~
26 ~~to provide apprenticeship classroom training to students subject to the approval of the Rhode Island~~
27 ~~department of labor and training.~~

28 (b) ~~In the event the council authorizes state certified apprenticeship training under~~
29 ~~subsection (a), and a student successfully completes the vocational school program, then the student~~
30 ~~shall receive apprentice credit, to be applied against a state certified apprenticeship program~~
31 ~~requirement set forth by the state apprenticeship council pursuant to § 28-45-13, for one hundred~~
32 ~~forty four (144) hours of apprenticeship classroom training.~~

1 SECTION 11. This act shall take effect upon passage.

=====
LC002708
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS

1 This act comprehensively amends the state's apprenticeship laws to make them more
2 consistent with applicable federal regulations and makes said laws more comprehensible and
3 consistent with each other.

4 This act would take effect upon passage.

=====
LC002708
=====