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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
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The Committee on Higher Education (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 31 - 154

and insert:

Section 1. Subsections (2), (4), and (9) of section 446.021, Florida Statutes, are amended to read:

446.021 Definitions of terms used in ss. 446.011-446.092.-  
As used in ss. 446.011-446.092, the term:

(2) "Apprentice" means a person at least 16 years of age who is engaged in learning a recognized skilled trade through



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11 actual work experience under the supervision of journeyworker  
12 ~~journeymen~~ craftsmen, which training should be combined with  
13 properly coordinated studies of related technical and  
14 supplementary subjects, and who has entered into a written  
15 agreement, which may be cited as an apprentice agreement, with a  
16 registered apprenticeship sponsor who may be either an employer,  
17 an association of employers, or a local joint apprenticeship  
18 committee.

19 (4) "Journeyworker" ~~"Journeyman"~~ means a worker who has  
20 attained certain skills, abilities, and competencies and who is  
21 recognized within an industry as having mastered the skills and  
22 competencies required for the occupation, including, but not  
23 limited to, attainment of a nationally recognized industry  
24 certification. The term includes a mentor, technician,  
25 specialist, or other skilled worker who has documented  
26 sufficient skills and knowledge of an occupation, through formal  
27 apprenticeship, attainment of a nationally recognized industry  
28 certification, or through practical, on-the-job experience or  
29 formal training a person working in an apprenticeable occupation  
30 ~~who has successfully completed a registered apprenticeship~~  
31 ~~program or who has worked the number of years required by~~  
32 ~~established industry practices for the particular trade or~~  
33 ~~occupation.~~

34 (9) "Related instruction" means an organized and systematic  
35 form of instruction designed to provide the apprentice with  
36 knowledge of the theoretical and technical subjects related to a  
37 specific trade or occupation. Such instruction may be given in a  
38 classroom, through occupational or industrial courses, or by  
39 correspondence courses of equivalent value, including electronic



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40 media or other forms of self-study instruction approved by the  
41 department.

42 Section 2. Subsection (1) of section 446.032, Florida  
43 Statutes, is amended to read:

44 446.032 General duties of the department for apprenticeship  
45 training.—The department shall:

46 (1) Establish uniform minimum standards and policies  
47 governing apprentice programs and agreements. The standards and  
48 policies shall govern the terms and conditions of the  
49 apprentice's employment and training, including the quality  
50 training of the apprentice for, but not limited to, such matters  
51 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,  
52 related instruction, and on-the-job training; but these  
53 standards and policies may not include rules, standards, or  
54 guidelines that require the use of apprentices and job trainees  
55 on state, county, or municipal contracts. The department may  
56 adopt rules necessary to administer the standards and policies.

57 Section 3. Paragraph (b) of subsection (2) of section  
58 446.045, Florida Statutes, is amended to read:

59 446.045 State Apprenticeship Advisory Council.—

60 (2)

61 (b) The Commissioner of Education or the commissioner's  
62 designee shall serve ex officio as chair of the State  
63 Apprenticeship Advisory Council, but may not vote. The state  
64 director of the Office of Apprenticeship of the United States  
65 Department of Labor shall serve ex officio as a nonvoting member  
66 of the council. The Governor shall appoint to the council four  
67 members representing employee organizations and four members  
68 representing employer organizations. Each of these eight members



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69 shall represent industries that have registered apprenticeship  
70 programs. The Governor shall also appoint two public members who  
71 are knowledgeable about registered apprenticeship and  
72 apprenticeable occupations, who are independent of any joint or  
73 nonjoint organization ~~one of whom shall be recommended by joint~~  
74 ~~organizations, and one of whom shall be recommended by nonjoint~~  
75 ~~organizations~~. Members shall be appointed for 4-year staggered  
76 terms. A vacancy shall be filled for the remainder of the  
77 unexpired term.

78 Section 4. Subsection (4) is added to section 446.081,  
79 Florida Statutes, to read:

80 446.081 Limitation.—

81 (4) Nothing in ss. 446.011-446.092 or the implementing  
82 rules in these sections shall operate to invalidate any special  
83 provision for veterans, minority persons, or women in the  
84 standards, qualifications, or operation of the apprenticeship  
85 program or in the apprenticeship agreement which is not  
86 otherwise prohibited by law, executive order, or authorized  
87 regulation.

88 Section 5. Section 446.091, Florida Statutes, is amended to  
89 read:

90 446.091 On-the-job training program.—All provisions of ss.  
91 446.011-446.092 relating to apprenticeship and  
92 preapprenticeship, including, but not limited to, programs,  
93 agreements, standards, administration, procedures, definitions,  
94 expenditures, local committees, powers and duties, limitations,  
95 grievances, and ratios of apprentices and job trainees to  
96 journeyworkers ~~journeymen~~ on state, county, and municipal  
97 contracts, shall be appropriately adapted and made applicable to



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98 a program of on-the-job training authorized under those  
99 provisions for persons other than apprentices.

100 Section 6. Section 446.092, Florida Statutes, is amended to  
101 read:

102 446.092 Criteria for apprenticeship occupations.—An  
103 apprenticeable occupation is a skilled trade which possesses all  
104 of the following characteristics:

105 (1) It is customarily learned in a practical way through a  
106 structured, systematic program of on-the-job, supervised  
107 training.

108 (2) It is clearly identified and commonly recognized  
109 throughout an the industry, and may be associated with a  
110 nationally recognized industry certification or recognized with  
111 a positive view towards changing technology.

112 (3) It involves manual, mechanical, or technical skills and  
113 knowledge which, in accordance with the industry standard for  
114 the occupation, requires require a minimum of 2,000 hours of on-  
115 the-job work and training, which hours are excluded from the  
116 time spent at related instruction.

117 (4) It requires related instruction to supplement on-the-  
118 job training. Such instruction may be given in a classroom,  
119 through occupational or industrial courses, or through  
120 correspondence courses of equivalent value, including electronic  
121 media or other forms of self-study instruction approved by the  
122 department.

123 ~~(5) It involves the development of skill sufficiently broad~~  
124 ~~to be applicable in like occupations throughout an industry,~~  
125 ~~rather than of restricted application to the products or~~  
126 ~~services of any one company.~~



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127       ~~(6) It does not fall into any of the following categories:~~

128       ~~(a) Selling, retailing, or similar occupations in the~~  
129 ~~distributive field.~~

130       ~~(b) Managerial occupations.~~

131       ~~(c) Professional and scientific vocations for which~~  
132 ~~entrance requirements customarily require an academic degree.~~

133

134 ===== T I T L E   A M E N D M E N T =====

135 And the title is amended as follows:

136       Delete line 2

137 and insert:

138       An act relating to education;