

2020 Regular Session

HOUSE BILL NO. 199

BY REPRESENTATIVE CARPENTER

EMPLOYMENT: Requires a contractor for a state construction project to designate no less than two percent of man-hours in any apprenticeable occupation to registered apprentices

1 AN ACT

2 To enact R.S. 23:388.1 and R.S. 39:103(A)(1)(g) and 121(8), relative to apprenticeship; to  
3 require contractors for state construction projects to employ certain apprentices; to  
4 provide for agreement; to provide for contracts; to provide for waiver; and to provide  
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 §388.1. Apprenticeship requirements of state constructions projects

9 A. In order to promote employment opportunities for young people and to  
10 train a skilled work force in Louisiana, any employer who is awarded a contract by  
11 the state of Louisiana to construct a capital project shall designate no less than two  
12 percent of the man-hours in any apprenticeable occupation, as provided for in R.S.  
13 39:121, to apprentices who are registered pursuant to this Chapter.

14 B. The director of apprenticeship shall approve all apprenticeship  
15 agreements which are in furtherance of this Section and which meet the standards  
16 established in this Chapter.

17 C.(1) If the executive director of the Louisiana Workforce Commission  
18 determines, in good faith, that an insufficient number of registered apprentices is  
19 available for a particular state construction project, the executive director shall

1 certify the number of registered apprentices who are available for the particular state  
2 construction project and shall issue a waiver for the remaining number of jobs which  
3 would otherwise be reserved for registered apprentices in order for the contractor to  
4 meet the two percent man-hour requirement provided for in R.S. 39:121.

5 (2) The executive director shall provide the waiver to the office of facility  
6 planning and control of the division of administration in compliance with R.S.  
7 39:121.

8 Section 2. R.S. 39:103(A)(1)(g) and 121(8) are hereby enacted to read as follows:

9 §103. Standards for capital projects and evaluations

10 A.(1) The office of facility planning and control of the division of  
11 administration shall establish standards for capital projects which shall include but  
12 not be limited to criteria of requirements for:

13 \* \* \*

14 (g) Standards for compliance for hiring apprentices as required in R.S.  
15 39:121.

16 \* \* \*

17 §121. Division of administration powers, duties, and functions

18 The division of administration, in accordance with the provisions of R.S.  
19 39:1410 in order to exercise supervision over the expenditure of funds and the  
20 construction projects, shall specifically:

21 \* \* \*

22 (8)(a) Require each contractor for a state construction job to meet all of the  
23 following requirements:

24 (i) Except as provided for in Subparagraph (b) of this Paragraph, the  
25 contractor shall designate no less than two percent of man-hours in any  
26 apprenticeable occupation to be held by registered apprentices.

27 (ii) The contractor shall cooperate with the director of apprenticeship of the  
28 Louisiana Workforce Commission and meet the standards and requirements of the

1           apprenticeship program as provided for in Chapter 4 of Title 23 of the Louisiana  
 2           Revised Statutes of 1950.

3                   **(b) If there is an insufficient number of registered apprentices available for**  
 4           **a particular state construction project, the requirements of R.S. 23:388.1(C)(1) are**  
 5           **to be waived only to the extent that such insufficiency is certified by the executive**  
 6           **director of the Louisiana Workforce Commission.**

## 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)]

HB 199 Original

2020 Regular Session

Carpenter

**Abstract:** Provides that a contractor for a state construction project cannot designate less than two percent of man-hours in any apprenticeable occupation to registered apprentices.

Present law provides that the director of apprenticeship of the La. Workforce Commission will, in cooperation with the apprenticeship council, set up conditions and training standards for apprenticeship agreements, which will 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 and further requires that any employer who is awarded a contract by the state of La. to construct a capital project will 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 which meet the standards established in present law.

Proposed law retains present law and further requires that the director of apprenticeship also approve the apprenticeship agreements 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 state construction project, the executive director will certify the number of registered apprentices who are available for the particular state construction project and will issue a waiver for the remaining number of jobs which would otherwise be reserved for registered apprentices in order for the contractor to meet the 2% man-hour requirement provided for in proposed law.

Present law provides that the office of facility planning and control of the division of administration office will establish standards and criteria for capital projects.

Proposed law retains present law and further requires that the office set standards for compliance for hiring apprentices as required by proposed law.

Proposed law provides that the division of administration will require each contractor for a state construction job to meet all of the following requirements:

- (1) Except when the contractor receives a waiver from the executive director of the La. Workforce Commission as provided for in proposed law, the contractor will designate no less than 2% of man-hours in any apprenticeable occupation to be held by registered apprentices.
- (2) The contractor will 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. 39:103(A)(1)(g) and 121(8))