

ACT 20

H. B. 864.

A Bill for an Act Relating to Apprenticeship and Amending Chapter 89, Revised Laws of Hawaii 1955.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 89, Revised Laws of Hawaii 1955, is amended in the following respects:

a. Section 89-2 is amended to read:

“Section 89-2. Definitions. As used in this chapter:

(a) ‘Department’ means the department of labor and industrial relations.

(b) ‘Director’ means the director of labor and industrial relations.

(c) ‘Apprentice’ means a person participating, through employment, in an approved schedule of work experience supplemented by related instruction and who is a party to an apprenticeship agreement registered with the department in accordance with this chapter.

(d) ‘Apprenticeship agreement’ means a written agreement which conforms to standards established under this chapter and is entered into between an apprentice and (1) an employer, (2) an association of employers, (3) an organization of employees, or (4) a joint committee representing employers and employees.”

b. Section 89-3 is amended as follows:

1. Subsection (c) is amended to read:

“(c) A statement of the number of hours to be spent in related instruction which shall not be less than one hundred and forty-four hours per year;

provided that the department may, in the best interest of apprenticeship, reduce the hours of related instruction;”

2. Subsection (f) is amended to read:

“(f) Provision for a period of probation during which the director shall be directed to terminate an apprenticeship agreement at the request in writing of any party thereto;”

3. Subsection (g) is amended to read:

“(g) Provision that after the probationary period the director shall be empowered to terminate an apprenticeship agreement upon agreement of the parties thereto;”

4. Subsection (h) is amended to read:

“(h) Provision that the services of the department may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where the differences cannot be adjusted locally or in accordance with the established trade procedure;”

5. The last paragraph is amended to read:

“An apprentice who, prior to entering into an agreement, has had training or experience or both in the trade or craft in which he is employed as an apprentice may be granted full or partial credit for the training or experience on the recommendation of the employer or the joint apprenticeship committee with the approval of the director.”

c. Section 89-4 is amended to read:

“**Section 89-4. Apprenticeship council.** The director may establish within the department a committee to be known as the apprenticeship council which shall sit in an advisory capacity to him on matters within the jurisdiction of the department relating to apprenticeship programs. The membership and organization of the council shall be determined by the director. The members of the council shall be appointed and removed at the pleasure of the director. The director or his subordinate officer in charge of the apprenticeship program shall act as secretary of the council.”

d. Section 89-5 is amended to read:

“**Section 89-5. Powers and duties of director.** The director shall:

(1) establish standards for apprenticeship agreements in conformity with this chapter;

(2) provide assistance for the development of on-the-job training program in nonapprenticeable occupations;

(3) encourage and promote the making of apprenticeship agreements conforming to the standards established by this chapter;

(4) register such apprenticeship agreements as are in the best interest of apprenticeship and which conform to the standards established by this chapter;

(5) keep a record of apprenticeship agreements and upon performance thereof issue certificates of completion of apprenticeship;

(6) terminate or cancel any apprenticeship agreements in accordance with the agreements;

(7) bring about the settlement of differences arising out of the appren-

ticship agreement where the differences cannot be otherwise adjusted locally;

(8) issue such rules and regulations as may be necessary to carry out the intent and purpose of this chapter;

(9) appoint personnel as are necessary in the execution of the functions required under this chapter; and

(10) perform other duties as are necessary to carry out the intent and purpose of this chapter.”

e. Section 89-6 is amended to read:

“**Section 89-6. Related instruction and coordination of instruction.** Related instruction for apprentices, coordination of instruction with job experiences and the selection and training of teachers and coordinators for the instruction shall be the responsibility of the department of education or of the community college division, University of Hawaii.”

f. Section 89-7 is amended to read:

“**Section 89-7. Joint apprenticeship committees.** Local joint apprenticeship committees may be approved by the director in any trade, group of trades or in trade areas, whenever the apprentice training needs of the trade or group of trades justifies the establishment of the committees. The joint apprenticeship committees shall be composed of an equal number of persons known to represent the interest of employers and employees, respectively. Subject to the review of the director and in accordance with the standards established by this chapter and by the director, the committees shall devise standards for apprenticeship agreements and give assistance to the operation and further development of apprenticeship in their respective trade and localities.”

g. Section 89-8 is amended to read:

“**Section 89-8. State-federal cooperation.** The department may promote the administration of this chapter by accepting and utilizing information, services and facilities made available to it by the federal committee on apprenticeship; and the department shall cooperate with the federal committee on apprenticeship to the fullest extent consistent with this chapter.”

SECTION 2. This Act shall take effect upon its approval.

(Approved April 21, 1967.)