

MAINE STATE LEGISLATURE

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NEW DRAFT OF H. P. 950, L. D. 474.

N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 821

H. P. 1299

House of Representatives, March 22, 1943.

Reported by Miss Clough from Committee on Labor and laid on the table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Providing for a System of Apprenticeship Whereby Voluntarily Made Agreements of Apprenticeship Would Be Encouraged; Establishing Standards for such Agreements in Conformity with the Minimum Apprenticeship Standards of the Federal Committee on Apprentice Training; Creating an Apprenticeship Council and Defining Their Duties.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Definitions. When used in this act, "apprentice" shall mean a person at least 16 years of age, employed under a written agreement to work at and learn a specific trade; "apprentice agreement" shall mean a written agreement entered into by an apprentice or organization of employees with an employer, or with an association of employers, which agreement provides for not less than 4,000 hours of reasonably continuous employment for the apprentice, for his participation in a definite sequency of job training, and for at least 144 hours per year of related and supplemental instruction; "council" shall mean the Maine State Apprenticeship Council.

Sec. 2. State apprenticeship council. The governor shall appoint a state apprenticeship council to be composed of 9 members and made up as follows: 3 members shall be representatives of employees, 2 of whom shall be bona fide members of a recognized major labor organization; 3 mem-

bers shall be representatives of employers, 2 of whom shall be bona fide employers or authorized representatives of bona fide employers; and 3 members shall be representatives of the public and shall be selected from neither industrial employers or employees, nor shall they be directly concerned with any particular industrial employer or employee. The appointments shall be made so that the term of one member of each group shall expire each year. Each member shall hold office until his successor is appointed and has qualified, and any vacancy shall be filled by appointment for the unexpired portion of the term. The chairman of the council shall be named by the members of the council from the group which represents the public. The director of vocational education and the commissioner of labor and industry shall be available to the council for consultation.

The council shall (1) establish standards, through joint action of employers and employees, and assist in the development of apprenticeship agreements in conformity with the provisions of this act; (2) issue such rules and regulations as may be necessary to carry out the intent and purpose of this act; and (3) make an annual report to the governor of its activities and the results thereof, which report shall be published and made available to the public.

Meetings of the council shall be held quarterly and as often as is necessary in the opinion of the majority of the council. The chairman shall designate the time and place of the meetings and the secretary shall notify all council members at least 1 week in advance of each meeting. A majority of the membership of the council shall constitute a quorum, provided that each group has at least 1 representative present.

Sec. 3. Apprenticeship agreements. For the purpose of this act an apprenticeship agreement is: (1) an individual written agreement between an employer and an apprentice, or (2) a written agreement between an employer, or an association of employers, and an organization of employees describing conditions of employment for apprentices. All such agreements shall conform to the basic standards and other provisions of this act and shall be approved by and registered with the apprenticeship council.

Sec. 4. Standards for apprenticeship agreements. Standards for apprenticeship agreements are as follows: I. a statement of the trade or craft to be taught and the required hours for completion of apprenticeship which shall be not less than 4,000 hours of reasonably continuous employment;

II. a statement of the processes in the trade or craft divisions in which

the apprentice is to be taught and the approximate amount of time to be spent at each process ;

III. a statement of the number of hours to be spent by the apprentice in work and the number of hours to be spent in related and supplemental instruction, which instruction shall be not less than 144 hours per year ;

IV. a statement that the apprentices shall be not less than 16 years of age ;

V. a statement of the progressively increasing scale of wages to be paid the apprentice ;

VI. provision for a period of probation during which the apprenticeship council shall be directed to terminate the apprenticeship agreement at the request in writing of any party thereto. After the probationary period, the apprenticeship council shall be empowered to terminate the registration of an apprentice upon agreement of the parties ;

VII. provision that the services of the apprenticeship council may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement, where such differences cannot be adjudged locally or in accordance with the established trade procedure ;

VIII. provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer ;

IX. such additional standards as may be prescribed in accordance with the provisions of this act.

Sec. 5. Voluntary acceptance of act. Nothing in this act, or in any apprenticeship agreement approved under this act, shall operate to invalidate any apprenticeship provision in any collective bargaining agreement between employers and employees setting up higher apprenticeship standards. Provided also, that none of the terms or provisions of this act shall apply to any person, firm, corporation, or craft unless and until such person, firm, corporation, or craft voluntarily elects that the terms and provisions of this act shall apply.