



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0888/1
MED:klm

2017 SENATE BILL 411

September 14, 2017 - Introduced by Senators KAPENGA, CRAIG, DARLING, FEYEN, LASEE, MARKLEIN, NASS, STROEBEL, VUKMIR and WANGGAARD, cosponsored by Representatives HUTTON, ROHRKASTE, ALLEN, BERNIER, BRANDTJEN, E. BROOKS, FELZKOWSKI, GANNON, HORLACHER, KATZMA, KNODL, KREMER, KRUG, KULP, MACCO, NEYLON, PETERSEN, SANFELIPPO, SPIROS, THIESFELDT, TITTL and TUSLER. Referred to Committee on Labor and Regulatory Reform.

1 **AN ACT to repeal** 106.02 and 106.025 (4); **to amend** 106.01 (1), 106.01 (9), 106.01
2 (11) (intro.), 106.025 (1) and 106.025 (2); and **to create** 106.015 of the statutes;
3 **relating to:** apprentice-to-journeyworker ratios in apprenticeships and the
4 minimum duration of carpentry and plumbing apprenticeships.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Workforce Development administers the law concerning apprenticeship programs in this state and has various powers as necessary to perform that function. In addition, DWD must promulgate rules regarding procedures for approving and for rescinding approval of apprenticeship programs. Under DWD's current rules, in order to be eligible for approval and registration by DWD, an apprenticeship program must have standards that address a numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment, and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements.

This bill specifically prohibits DWD from prescribing, enforcing, or authorizing, through any means, a ratio of apprentices to journeyworkers for apprenticeship programs or apprentice contracts that requires more than one journeyworker for each apprentice.

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The bill also repeals certain provisions regarding minimum terms for carpentry and plumbing apprenticeships.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 106.01 (1) of the statutes is amended to read:

2 106.01 (1) FORMATION OF APPRENTICE CONTRACT. Any person 16 years of age or
3 over may enter into an apprentice contract binding himself or herself to serve as an
4 apprentice as provided in this section. ~~Except as provided in ss. 106.02 and 106.025,~~
5 ~~the~~ The term of service of an apprenticeship shall be for not less than one year. Every
6 apprentice contract shall be in writing and shall be signed by the apprentice, the
7 department, and the sponsor or an apprenticeship committee acting as the agent of
8 the sponsor. If the apprentice has not reached 18 years of age, the apprentice contract
9 shall also be signed by one of the apprentice's parents or, if both parents are deceased
10 or legally incapable of giving consent, by the guardian of the apprentice or, if there
11 is no guardian, by a deputy of the department. The department shall specify the
12 provisions that are required to be included in an apprentice contract by rule
13 promulgated under sub. (11).

14 **SECTION 2.** 106.01 (9) of the statutes is amended to read:

15 106.01 (9) AUTHORITY OF DEPARTMENT. The department, subject to s. 106.015,
16 may investigate, fix reasonable classifications, issue rules and general or special
17 orders, and hold hearings, make findings, and render orders upon its findings as
18 necessary to carry out the intent and purposes of this section. The investigations,
19 classifications, hearings, findings, and orders shall be made as provided in s.
20 103.005. Except as provided in sub. (8), the penalties specified in s. 103.005 (12)

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1 apply to violations of this section. Orders issued under this subsection are subject
2 to review under ch. 227.

3 **SECTION 3.** 106.01 (11) (intro.) of the statutes is amended to read:

4 106.01 (11) RULES. (intro.) The department, subject to s. 106.015, shall
5 promulgate rules to implement this section, including rules providing for all of the
6 following:

7 **SECTION 4.** 106.015 of the statutes is created to read:

8 **106.015 Apprentice-to-journeyworker ratios.** The department may not
9 prescribe, enforce, or authorize, whether through the promulgation of a rule, the
10 issuance of a general or special order, the approval of an apprenticeship program or
11 apprentice contract, or otherwise, a ratio of apprentices to journeyworkers for
12 apprenticeship programs or apprentice contracts that requires more than one
13 journeyworker for each apprentice.

14 **SECTION 5.** 106.02 of the statutes is repealed.

15 **SECTION 6.** 106.025 (1) of the statutes is amended to read:

16 106.025 (1) The department may prescribe the conditions under which a
17 person may serve a plumbing apprenticeship, as to preliminary and technical college
18 attendance requirements, level of supervision of an apprentice, the character of
19 plumbing work, and the credit for school attendance in serving the apprenticeship.

20 **SECTION 7.** 106.025 (2) of the statutes is amended to read:

21 106.025 (2) Every person commencing a plumbing apprenticeship shall enter
22 into an apprentice contract under s. 106.01. ~~The term of a plumbing apprentice is~~
23 ~~5 years, but the department may upon application of the apprentice, the apprentice's~~
24 ~~employer, or both, extend the term for up to one additional year.~~

25 **SECTION 8.** 106.025 (4) of the statutes is repealed.

