

Chapter 660

Apprentices

APPRENTICESHIP AGREEMENTS

- 660.010 Apprentice defined
- 660.020 Necessity for apprenticeship agreement; authority to enter into agreement
- 660.030 Execution, delivery and filing of agreements
- 660.040 Required signatories to agreements
- 660.050 Approval of agreements
- 660.060 Contents and terms of agreement

STATE APPRENTICESHIP COUNCIL

- 660.110 State Apprenticeship Council; members; tenure; compensation

- 660.120 Duties of council

- 660.130 State Director of Apprenticeship; duties and functions
- 660.140 Local committees; purpose; representation
- 660.150 Duties of local committees
- 660.160 Coordination of schooling for apprentices
- 660.170 Expenditures for administration
- 660.180 Enforcement of chapter

PENALTIES

- 660.990 Penalties

CROSS REFERENCES

- 660.110 General provisions applicable to state agencies, Ch. 182
- Subsistence and mileage allowances for travel of state officers and employes, 292.210 to 292.260

660.120

- Apprentice electricians required to register and procure identification cards, 694.120

- Rules and regulations of state agencies, Ch. 183

660.130

- Salary of director, 292.317

660.990

- Special penalty for employing unindentured apprentice plumber, 693.030, 693.990

APPRENTICESHIP AGREEMENTS

660.010 Apprentice defined. As used in this chapter, "apprentice" means any person, 16 years of age or over, who enters into a written contract of employment, whereby he is to receive from or through his employer, or the agent of his employer, in consideration for his services, in whole or in part, instruction in any trade or craft, requiring not less than 4,000 hours to learn, and whereby the learning of any such trade or craft is an essential part of the condition thereof and of the benefit to be derived therefrom. The term "apprentice" shall not be used or applied to persons other than those qualifying as apprentices under this chapter.

660.020 Necessity for apprenticeship agreement; authority to enter into agreement. (1) Every applicant for an apprenticeship and his employer, or the agent of his employer, shall, within 30 days after he enters the service of the employer, or the agent of the employer as an apprentice, enter into an agreement of apprenticeship.

(2) No person shall employ an apprentice in violation of this chapter.

(3) Any person, 16 years of age or over, may enter into an agreement with his employer or employer's agent as provided in this chapter for a term of apprenticeship of not less than 4,000 hours.

660.030 Execution, delivery and filing of agreements. Apprenticeship agreements under this chapter shall be in writing and shall be executed in quadruplicate, one copy of which shall be delivered to the apprentice, one to the employer or the agent of the employer, one to the local apprenticeship council committee or trade apprenticeship committee and one to be filed with the State Apprenticeship Council.

660.040 Required signatories to agreements. (1) Every apprenticeship agreement entered into by a minor shall be signed:

(a) By the minor.

(b) By the father or, if the father is dead or legally incapable of giving consent or has abandoned his family, by the mother or, if both the father and mother are legally incapable of giving consent, by the guardian of the apprentice.

(c) By the employer or the agent of the employer.

(2) Every apprenticeship agreement en-

tered into by a person of legal age shall be signed:

(a) By the person of legal age.

(b) By the employer or the agent of the employer.

660.050 Approval of agreements. Every apprenticeship agreement shall be approved as follows:

(1) By the State Apprenticeship Council or a duly authorized deputy thereof. The apprenticeship agreement shall not be valid until so finally approved.

(2) By the local apprenticeship committee or the trade apprenticeship committee of the trade or craft, if any, named in the agreement.

(3) If the apprentice is a minor who has no parent or guardian with authority to sign, the agreement must be approved by the judge of the court of domestic relations, or the county judge in the county in which such minor resides.

660.060 Contents and terms of agreement. Every apprenticeship agreement shall contain:

(1) The names of the contracting parties.

(2) The date and place of birth of the apprentice.

(3) A statement of the trade or craft which the apprentice is to be taught, of the time at which the apprenticeship under the agreement shall begin, of the period thereof and of the probationary period thereunder. Also a covenant whereby the apprentice is to be employed when the employer has work of apprentice classification.

(4) A statement setting forth all training and employment conditions pertaining to the learning of the trade or craft by the apprentice.

(5) A statement setting forth a schedule of work processes or branches of the trade or craft to be learned and a schedule showing the wage to be received by the apprentice in accordance with the percent of journeymanship or advancement in the trade attained by him.

(6) Such other and further terms and conditions as may be prescribed or approved by the State Apprenticeship Council, not inconsistent with this chapter.

660.070 to 660.100 [Reserved for expansion].

STATE APPRENTICESHIP COUNCIL

660.110 State Apprenticeship Council; members; tenure; compensation. (1) The Commissioner of the Bureau of Labor, the executive officer of the State Board of Education, the chairman of the State Industrial Accident Commission and the State Director of Veterans' Affairs shall, jointly with eight other members representing industry, constitute the State Apprenticeship Council. The state director of vocational education, or his designated representative shall be an ex officio member of the council without a vote.

(2) The eight industrial members of the council shall be appointed by the Governor and shall be selected from recognized apprenticeship trade groups where such exist. Four shall be representatives of employers and four shall be representatives of employes, and at least one employe and one employer representative shall be a war veteran as defined by Oregon law.

(3) Each member shall be appointed for a term of four years and shall hold office until his successor has been appointed and has qualified.

(4) Any vacancy occurring in said office shall be filled by appointment, as provided in this section, for the unexpired portion of the term.

(5) The Commissioner of the Bureau of Labor shall serve as the chairman of the council with the power to cast the deciding vote in case of a tie.

(6) Each member of the council, not otherwise compensated by public moneys, shall be reimbursed for transportation and subsistence and shall be paid not more than \$10 for each day spent in attendance at meetings of the council.

660.120 Duties of council. The State Apprenticeship Council shall:

(1) Establish standards for apprenticeship agreements in cooperation with joint employer and employe groups and in conformity with this chapter.

(2) Issue such rules and regulations as may be necessary to carry out the intent and purposes of this chapter.

(3) Perform such other duties as are imposed by this chapter.

(4) Hold four regular meetings each year. Any additional meetings deemed necessary shall be held on call of the chairman.

(5) Not less than once a year make a report through the Commissioner of the

Bureau of Labor of its activities and findings to the legislature, which shall be available to the public.

660.130 State Director of Apprenticeship; duties and functions. The State Apprenticeship Council shall make and terminate the appointment of a State Director of Apprenticeship. The director shall be under the supervision of the Commissioner of the Bureau of Labor and shall not be subject to the State Civil Service Law. With the advice and guidance of the council, the director shall:

(1) Act as secretary of the council and of the state trade apprenticeship committees.

(2) Encourage and promote the making of apprenticeship agreements conforming to the standards established by or in accordance with this chapter.

(3) When authorized by the council, register such apprenticeship agreements as are in the best interests of the apprentices and which conform to the standards established by or in accordance with this chapter.

(4) Keep a record of apprenticeship agreements and other apprenticeship records and issue certificates of completion of apprenticeship upon receipt of evidence of satisfactory fulfillment thereof.

(5) Act to bring about the settlement of differences arising between the parties to an apprenticeship agreement where such differences cannot be adjusted by the local apprenticeship committees or trade apprenticeship committees.

(6) Suspend or cancel apprenticeship agreements in accordance with their provisions.

660.140 Local committees; purpose; representation. (1) In each locality wherein apprentices are employed there shall be formed a local apprenticeship committee or trade apprenticeship committee or committees for the administration of local problems concerning apprenticeship.

(2) Where practicable, each trade wherein apprentices are employed shall be equally represented on the local apprenticeship committee or the trade apprenticeship committee by not less than one employer and one employe. Where the local committee or trade committee consists of four or more members, at least one employer and one employe member shall be war veterans, provided the selection of war veteran members does not delay normal functions of the committee.

These representatives shall be delegated by a recognized apprenticeable trade group where such exists.

(3) State trade apprenticeship committees may be formed by the State Apprenticeship Council for the purpose of promoting and standardizing apprenticeship in their respective trades if formed on the same basis as that set forth for the formation of local apprenticeship committees or trade apprentice committees.

(4) Where, in the judgment of the State Apprenticeship Council, there are not sufficient apprentices to justify a local apprenticeship committee or trade apprenticeship committee the council shall exercise jurisdiction.

(5) The names of the members of local apprenticeship committees or trade apprenticeship committees, together with a statement of their trade representation and the names of the officers thereof who are authorized to approve apprenticeship agreements, shall be filed with and approved by the council.

660.150 Duties of local committees. (1) The local apprenticeship committee or trade apprenticeship committees, with the approval of the State Apprenticeship Council, shall:

(a) Establish standards for apprenticeship agreements in cooperation with joint employer and employe groups and in conformity with this chapter.

(b) Issue such rules and regulations as may be necessary to carry out the intent and purposes of this chapter.

(c) In general be responsible for the successful operation and further development of apprenticeship in their respective locality or trade.

(2) Not less than once a year the state trade apprenticeship committees, the local apprenticeship committees and trade apprenticeship committees, through the local apprenticeship committee, shall make a report of their activities and findings to the State Apprenticeship Council.

660.160 Coordination of schooling for apprentices. All school boards shall cooperate with the State Apprentice Council, the state agency for vocational education, and the local apprenticeship committees or trade apprenticeship committees in providing the necessary related instruction classes for apprentices. The coordination of the related instruction offered in these classes with the job instruction, and the carrying out of the other details of such instruction shall be the responsibility of the recognized local or state agency for vocational education. The apprentice shall attend such classes not less than 144 hours per year, either within or without the usual working hours, as part of their working obligation.

660.170 Expenditures for administration. The Commissioner of the Bureau of Labor, with the advice and approval of the State Apprenticeship Council, may appoint such other personnel and incur such other expenses as may be necessary to aid the council and the State Director of Apprenticeship in carrying out their duties and functions under this chapter.

660.180 Enforcement of chapter. It shall be the duty of the State Apprenticeship Council, and it shall have the power, jurisdiction and authority to enter suit in the court of the proper jurisdiction in its name, or in the name of the apprentice, on behalf of the apprentice, through the district attorney, or the Attorney General; and to investigate, subpoena and swear witnesses. The findings and orders of the council shall be prima facie evidence of the facts therein stated in all proceedings having to do therewith.

660.190 to 660.980 [Reserved for expansion]

PENALTIES

660.990 Penalties. Violation of the provisions of this chapter by an employer is punishable, upon conviction, by a fine of not less than \$10 nor more than \$100.

