

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

DEC 31 2014

33-15-0018

Office of the Speaker
Judith T. Won Pat, Ed.D.

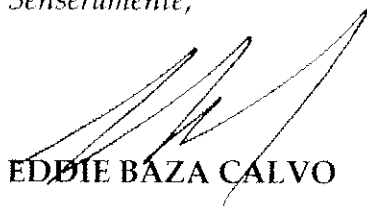
Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Date: 01/06/2015
Time: 3:56 PM
Received By: CARL SANCHEZ

Dear Madame Speaker:

Transmitted herewith is Bill No. 425-32 (LS) "AN ACT TO ADD A NEW CHAPTER 10 TO DIVISION 1 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF THE APPRENTICESHIP ACT OF GUAM" which I signed into law on December 30, 2014, as Public Law 32-230.

Senseramente,


EDDIE BAZA CALVO

2015 JAN - 6 PM 4: 31



0018



I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

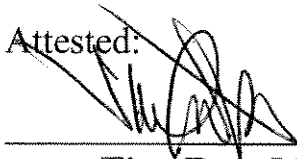
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 425-32 (LS)**, "AN ACT TO *ADD A NEW CHAPTER 10 TO DIVISION 1 OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO THE ESTABLISHMENT OF THE APPRENTICESHIP ACT OF GUAM,*" was on the 19th day of December, 2014, duly and regularly passed.



Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 21 day of Dec,
2014, at
6:35 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: DEC 30 2014

Public Law No. 32-230

I MINA TRENTAI DOS NA LIHESLATURAN GUAHAN
2014 (SECOND) Regular Session

Bill No. 425-32 (LS)

As substituted by the Committee on Rules; Foreign
& Micronesian Affairs; Human & Natural Resources;
and Election Reform; and amended on the Floor.

Introduced by:

Michael T. Limtiaco
R. J. Respicio
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO ADD A NEW CHAPTER 10 TO DIVISION 1
OF TITLE 22, GUAM CODE ANNOTATED, RELATIVE
TO THE ESTABLISHMENT OF THE
APPRENTICESHIP ACT OF GUAM.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Chapter 10 is *added* to Division 1 of Title 22, Guam
3 Code Annotated, to read:

4 **“CHAPTER 10**

5 § 10101. Title.

6 § 10102. Statement of Public Policy.

7 § 10103. Definitions.

- 1 § 10104. Guam State Apprenticeship Council.
- 2 § 10105. Powers and Duties of Director.
- 3 § 10106. Administrative Procedures, Guidelines and Regulations.
- 4 § 10107. Territorial-Federal Cooperation.
- 5 § 10108. Severability.

6 **§ 10101. Title.**

7 This Chapter *shall* be known as *The Apprenticeship Act of Guam*.

8 **§ 10102. Statement of Public Policy.**

9 (a) Skilled manpower constitutes a great resource on Guam.
10 Registered apprenticeship programs, through supervised training and
11 education, develop skilled journeyworkers and help meet the increasing
12 needs for such workers in the traditional labor force. The continuing
13 development of skilled manpower is essential for individual self-realization
14 and for an expanding industrial economy. This Act recognizes that all
15 citizens of Guam, regardless of race, color, religion, national origin, or
16 gender, are a potential aspect of a reliable workforce. Moreover, an
17 individual's physical and/or behavioral health challenge *shall not* prevent
18 him or her from participating in programs authorized through this Chapter,
19 as every attempt *shall* be made by the Guam Department of Labor to ensure
20 that apprenticeship programs are supportive of Title 17 GCA § 41210,
21 relative to the employment of individuals with severe disabilities. To these
22 ends, it is the declared public policy of Guam to develop sound
23 apprenticeship training standards and to encourage industry and labor to
24 institute training programs allowing all citizens of Guam the opportunity to
25 work and earn a responsible wage to support themselves and their families.

26 (b) This Chapter *shall* apply to a person, firm, corporation, or craft
27 only after such person, firm, corporation, or craft has voluntarily elected to

1 conform with its provisions, for the purpose of participating in registered
2 apprenticeship programs.

3 **§ 10103. Definitions.**

4 *Agency* means the Guam Department of Labor, Division of
5 Apprenticeship.

6 *Department* means the U.S. Department of Labor, Employment and
7 Training Administration, Office of Apprenticeship.

8 *Director* means the Director, Guam Department of Labor.

9 *Apprentice* means a worker at least sixteen (16) years of age, except
10 where a higher minimum age standard is otherwise fixed by law, who is
11 employed to learn an apprenticeable occupation.

12 *Apprenticeship agreement* means a written agreement between an
13 apprentice and either the apprentice's program sponsor, or an apprenticeship
14 committee acting as an agent for the program sponsor(s), which contains the
15 terms and conditions of the employment and training of the apprentice.

16 **§ 10104. Guam State Apprenticeship Council.**

17 (a) There is established within the Guam Department of Labor,
18 Division of Apprenticeship, the Guam State Apprenticeship Council
19 (GSAC). The GSAC *shall* be comprised of five (5) members to be appointed
20 by *I Maga'lahi* (the Governor) with the recommendation of the Director.
21 Four (4) of the members of the GSAC *shall* be persons knowledgeable with
22 apprenticeship occupations, with an equal number of representatives of
23 employer and of employee organizations. The Director *shall* serve as one (1)
24 member of the GSAC. With the exception of the Director, the four (4)
25 members appointed by *I Maga'lahi shall* serve for a term of three (3) years;
26 provided, *however*, that of the members first appointed, two (2) *shall* be
27 appointed for a term of one (1) year and two (2) *shall* be appointed for terms

1 of two (2) years. Three (3) members of the GSAC *shall* constitute a valid
2 quorum for all purposes. Ex-officio members may be added to the GSAC,
3 but shall have no vote.

4 (b) The GSAC: (a) *shall* advise the Director or his designee on
5 apprentice training matters, including the matters of related and
6 supplemental instruction; (b) may recommend suggested standards for
7 apprenticeship agreements; (c) *shall* maintain a close and effective liaison
8 with governmental and nongovernmental agencies which are concerned with
9 skilled manpower development and problems; and (d) may recommend
10 research projects on facts and trends relating to apprenticeship training and
11 the supply of and needs for skilled manpower.

12 **§ 10105. Powers and Duties of Director.**

13 The Director *shall*:

14 (a) establish standards for apprenticeship agreements in conformity
15 with this Chapter;

16 (b) provide assistance for the development of on-the-job learning
17 programs in national apprenticeable occupations or local apprenticeable
18 occupations;

19 (c) encourage and promote the making of apprenticeship
20 agreements conforming to the standards established by this Chapter;

21 (d) register such apprenticeship agreements as are in the best
22 interest of apprenticeship, and which conform to the standards established by
23 this Chapter;

24 (e) keep a record of apprenticeship agreements and upon
25 determination thereof issue either an interim credential or a certificate of
26 completion of apprenticeship;

1 (f) terminate or cancel any apprenticeship agreements in
2 accordance with the agreements;

3 (g) bring about the settlement of differences arising out of the
4 apprenticeship agreement where the differences cannot be otherwise
5 adjusted locally;

6 (h) issue such rules and regulations as may be necessary to carry
7 out the intent and purpose of this Chapter;

8 (i) appoint personnel as are necessary to execute the functions
9 required under this Chapter;

10 (j) perform other duties as are necessary to carry out the intent and
11 purpose of this Chapter; and

12 (k) submit all proposed modifications in legislation, regulations,
13 policies and/or operation procedures planned or anticipated by the Agency,
14 either at the time of application for recognition or subsequently, to the
15 Department for review and obtain the Department's concurrence prior to
16 implementation.

17 **§ 10106. Administrative Procedures, Guidelines and**
18 **Regulations.**

19 The provisions incorporated in Title 29, Code of Federal Regulations
20 (CFR) Part 29 (also known as the Labor Standards for the Registration of
21 Apprenticeship Programs) and Part 30 (also known as Equal Employment
22 Opportunity (EEO) in Apprenticeship), as amended, *shall* serve as the basic
23 set of procedures, guidelines, and regulations governing the application of
24 the Registered Apprenticeship Program in Guam, and are hereby adopted as
25 guidelines and procedures of the Agency (Guam Department of Labor) to
26 the extent not inconsistent with Guam law, subject to later amendment or
27 repeal by the Director.

1
2
3
4
5
6
7
8
9

§ 10107. Territorial-Federal Cooperation.

The Agency may promote the administration of this Chapter by accepting and utilizing information, services, and facilities made available to it by the Department.

§ 10108. Severability. If any provision of this law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Law which can be given effect without the invalid provisions or application, and to this end the provisions of this Law are severable.”