

# FLORIDA DEPARTMENT OF EDUCATION

## DIVISION OF WORKFORCE EDUCATION--APPRENTICESHIP



### Apprenticeship Section Procedures

#### SUBJECT

Government entity participation in private industry apprenticeship, preapprenticeship and on-the-job training programs.

#### PURPOSE

To provide guidelines for governmental agencies to partner with private industry apprenticeship, preapprenticeship and on-the-job training programs.

#### APPLICABILITY

This policy applies to all registered apprenticeship, preapprenticeship and on-the-job training program sponsors as defined in Chapter 6A-23, Florida Administrative Code (FAC), and Chapter 446, Florida Statutes, operating registered apprenticeship, preapprenticeship and on-the-job training programs.

#### EFFECTIVE DATE

Upon issuance.

#### EXPIRATION DATE

Until superseded or rescinded.

#### POLICY

Private industry group program sponsors have in the past sought to permit government entities to participate directly with private industry employers in group programs and register their employees in those programs. While not directly stated as a prohibition in any section of relevant code or law, it is, nonetheless, impermissible.

Program standards define the content and length of the program, the type of instruction required, the wage schedule, the admission requirements and the selection process, etc. In order to participate in a program any entity must, among other requirements, agree to abide by all applicable laws, rules, regulations, standards and other requirements governing the operation of the program and its participants. These laws include, but are not limited to, Chapter 446, Florida

Statutes, the rules and regulations of the Florida Department of Education, Division of Workforce Education, applicable program standards, and any pertinent information/instructions received from the Department or other source, including relevant federal law, code, regulation and policies. These strictures frequently conflict with laws, rules and regulations that govern governmental entities. Consequently, they should not sign agreements that impose terms and conditions conflicting with the applicable laws, rules and regulations that govern them.


It is, therefore, the policy of the Department to not accept as valid any participating employer agreement or other document that binds a governmental entity to a private industry sponsored apprenticeship, preapprenticeship or on-the-job training program as an employer participant in that program. Further, this Department will not register participant agreements that seek to place employees of governmental entities in training in private industry programs.

Any governmental entity wishing to participate in registered apprenticeship, preapprenticeship and/or on-the-job training must register a program in its own name. The Department in its capacity as registration agency may grant variances to such a program as part of its standards to account for potential code or law conflicts if seeking registration in non-construction occupations.

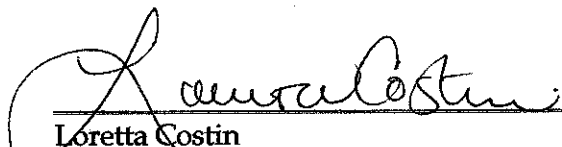
Any employee participating and registered in such a program where on-the-job training is a part of that program must work under the direct supervision of the governmental entity's own employee who is a journey person/supervisor in accordance with the ratio granted in its program standards. Such supervision and the documentation thereof may not be delegated or otherwise assigned to an entity other than the program sponsor. This does not preclude such an entity from entering into a contractual arrangement with a private industry program or other service provider for program management assistance and/or provision of related technical instruction for its participating employees.

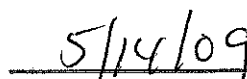
**AUTHORITY**

Florida Department of Education, Division of Workforce Education—Apprenticeship; Chapter 446 FS; Chapter 6A-16 FAC; Title 29 CFR Part 29; Title 29 CFR Part 30.

  
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Robert Grisar  
Program Director of Apprenticeship

  
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Date Signed

  
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Loretta Costin  
Vice Chancellor

  
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Date Signed