

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 23-0488.01 Josh Schultz x5486

SENATE BILL 23-051

SENATE SPONSORSHIP

Hinrichsen and Sullivan, Bridges, Coleman, Cutter, Danielson, Exum, Fields, Gonzales, Hansen, Jaquez Lewis, Kolker, Marchman, Rodriguez, Winter F.

HOUSE SPONSORSHIP

Ortiz and Lukens, Amabile, Bacon, Brown, Duran, English, Froelich, Garcia, Gonzales-Gutierrez, Hamrick, Herod, Jodeh, Lindsay, Lindstedt, Mabrey, McCluskie, McCormick, Michaelson Jenet, Parenti, Ricks, Titone, Velasco, Weissman, Woodrow, Young

Senate Committees

Business, Labor, & Technology

House Committees

Business Affairs & Labor

A BILL FOR AN ACT

101 **CONCERNING PREPARATION OF A SKILLED WORKFORCE FOR THE**
102 **CHANGING NATURE OF WORK.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The office of future of work (OFW) was created in the department of labor and employment (department) by executive order of the governor in 2019 for the purpose of studying unemployment assistance. The bill creates the OFW in statute and expands the duties of the OFW. The purpose of the OFW is to:

- Identify opportunities for Colorado's communities to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
February 28, 2023

HOUSE
Amended 2nd Reading
February 27, 2023

SENATE
3rd Reading Unamended
February 1, 2023

SENATE
Amended 2nd Reading
January 31, 2023

1 ASSEMBLY HEREBY:

2 (a) FINDS AND DETERMINES THAT:

3 (I) COLORADO'S POLICYMAKERS FROM ALL BACKGROUNDS FACE
4 SIGNIFICANT CHALLENGES IN RESPONDING TO THE RAPIDLY CHANGING
5 NATURE OF WORK;

6 (II) A CHANGING GLOBAL ECONOMY, RAPIDLY EMERGING
7 TECHNOLOGY, DEMOGRAPHIC CHANGES, NEW ECONOMY DEMANDS,
8 SHIFTING SKILL NEEDS, AND THE RISING COST OF EDUCATION, HEALTH
9 CARE, AND HOUSING ARE JUST A FEW FACTORS LEADING TO LABOR
10 DISRUPTIONS; AND

11 (III) WHILE THESE CHANGES HAVE BROUGHT IMMENSE ECONOMIC
12 BENEFIT FOR SOME, THEY HAVE ALSO CONTRIBUTED TO STAGNANT WAGES,
13 DECLINING WORKER BENEFITS, WEAKENED WORKPLACE PROTECTIONS,
14 AND, IN SOME CASES, PERMANENT JOB LOSSES; AND

15 (b) DECLARES THAT:

16 (I) POLICYMAKERS, GOVERNMENT OFFICIALS, EMPLOYERS,
17 EDUCATION AND TRAINING INSTITUTIONS, AND OTHER STAKEHOLDERS
18 MUST:

19 (A) WORK TOGETHER TO CREATE AN ECONOMY THAT HELPS
20 WORKERS ADAPT TO THE NEW AND CHANGING JOB LANDSCAPE; AND

21 (B) USE ALL TOOLS AVAILABLE TO ENSURE THAT WORKERS AND
22 EMPLOYERS WITHSTAND FUTURE JOB DISRUPTIONS CAUSED BY CHANGES
23 IN TECHNOLOGY, TRADE, AND ORGANIZATIONAL STRUCTURE; AND

24 (II) COLORADO MUST UNDERSTAND, PREPARE FOR, AND DEVELOP
25 EFFECTIVE STRATEGIES TO RESPOND TO THESE CHANGES.

26 (2) IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE OFFICE OF
27 FUTURE OF WORK WILL:

1 (a) SERVE AS THE CENTRAL POINT OF CONTACT FOR THE STATE'S
2 EFFORTS TO RESPOND TO THE RAPIDLY CHANGING NATURE OF WORK;

3 (b) INCREASE AWARENESS OF THE CHALLENGES ASSOCIATED WITH
4 THE FUTURE OF WORK AND DEVELOP PRIORITIES TO FOCUS STATE
5 RESOURCES ON MEETING THOSE CHALLENGES;

6 (c) CENTRALIZE RESPONSIBILITY AND ACCOUNTABILITY FOR
7 RESEARCHING, ANALYZING, AND DEVELOPING RECOMMENDATIONS ON THIS
8 ISSUE; AND

9 (d) ENCOURAGE AND CONVENE PARTICIPATION FROM A VARIETY
10 OF SECTORS AND STAKEHOLDERS IN COLORADO'S ECONOMY.

11 **8-15.8-102. Definitions.** AS USED IN THIS ARTICLE 15.8, UNLESS
12 THE CONTEXT OTHERWISE REQUIRES:

13 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND
14 EMPLOYMENT CREATED IN SECTION 24-1-121.

15 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
16 THE DEPARTMENT.

17 (3) "OFW" MEANS THE COLORADO OFFICE OF FUTURE OF WORK
18 CREATED IN SECTION 8-15.8-103.

19 **8-15.8-103. Colorado office of future of work - creation -**
20 **powers and duties - report.** (1) THERE IS CREATED IN THE DEPARTMENT
21 THE OFFICE OF FUTURE OF WORK, THE HEAD OF WHICH IS THE DIRECTOR OF
22 THE OFFICE OF FUTURE OF WORK.

23 (2) THE OFW IS A **TYPE 2** ENTITY, AS DEFINED IN SECTION
24 24-1-105, AND EXERCISES ITS POWERS AND PERFORMS ITS DUTIES AND
25 FUNCTIONS UNDER THE DEPARTMENT.

26 (3) IT IS THE PURPOSE OF THE OFW TO:

27 (a) IDENTIFY OPPORTUNITIES FOR COLORADO'S COMMUNITIES TO

1 TRANSITION EFFECTIVELY TO EMERGING INDUSTRIES AND, WHERE
2 APPROPRIATE, CONSULT WITH THE JUST TRANSITION OFFICE, CREATED IN
3 SECTION 8-83-503, AND OTHER STATE AGENCIES TO ALIGN SUCH EFFORTS;

4 (b) ENSURE THE INCLUSION OF KEY STAKEHOLDERS FROM ALL
5 SECTORS AND ENGAGE PARTNERSHIPS ACROSS PUBLIC AND PRIVATE
6 SECTORS, INCLUDING INDUSTRY, ACADEMIA, EMPLOYERS, EMPLOYEES,
7 NONPROFIT ORGANIZATIONS, AND GOVERNMENT;

8 (c) HOST, ORGANIZE, AND CONVENE TASK FORCES, SUMMITS, AND
9 OTHER APPROPRIATE MEETINGS WITH DIVERSE STAKEHOLDERS, DESIGNED
10 TO IMPROVE THE STATE'S UNDERSTANDING OF THE SOCIAL AND ECONOMIC
11 IMPACTS OF THE CHANGING NATURE OF WORK;

12 (d) EXPLORE WAYS THAT THE STATE CAN PREPARE FOR CURRENT
13 AND FUTURE IMPACTS, INCLUDING THROUGH THE MODERNIZATION OF
14 WORKER BENEFITS AND PROTECTIONS, THE DEVELOPMENT OF A SKILLED
15 AND RESILIENT WORKFORCE THROUGH COORDINATION OF REGISTERED
16 APPRENTICESHIP PROGRAMS IN COLORADO, AND THE IDENTIFICATION OF
17 NEW POLICY AND PROGRAM SOLUTIONS; AND

18 (e) AS FUNDING ALLOWS, UNDERTAKE STUDIES, RESEARCH, AND
19 FACTUAL REPORTS TO GATHER INSIGHT AND TO FORMULATE AND PRESENT
20 RECOMMENDATIONS TO THE GOVERNOR, STATE AGENCIES, AND THE
21 GENERAL ASSEMBLY RELATED TO ISSUES OF CONCERN AND IMPORTANCE
22 TO COLORADO'S FUTURE WORKFORCE.

23 **8-15.8-104. Reports - recommendations.** (1) THE OFW SHALL
24 PERIODICALLY MAKE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR
25 TO MAKE ADJUSTMENTS TO THE SCOPE AND EXPECTED WORK PRODUCT OF
26 THE OFW, AS NECESSARY, TO ADJUST TO CHANGING ECONOMIC
27 CONDITIONS.

1 (2) AT LEAST ONCE EVERY CALENDAR YEAR BEGINNING IN 2023,
2 THE EXECUTIVE DIRECTOR SHALL SUBMIT A REPORT TO THE GOVERNOR
3 THAT INCLUDES RECOMMENDATIONS FOR POTENTIAL POLICY INITIATIVES.

4 **8-15.8-105. Funding for the office.** THE GENERAL ASSEMBLY
5 MAY APPROPRIATE MONEY FROM THE GENERAL FUND OR FROM ANY OTHER
6 AVAILABLE SOURCE TO THE DEPARTMENT FOR ALLOCATION TO THE OFW
7 FOR THE PURPOSES SPECIFIED IN THIS ARTICLE 15.8. THE OFW MAY SEEK,
8 ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR
9 PUBLIC SOURCES FOR THE PURPOSES OF THIS ARTICLE 15.8.

10 **SECTION 2.** In Colorado Revised Statutes, **repeal** 8-77-110 as
11 follows:

12 **8-77-110. Office of future work - study - report.** ~~(1) The office~~
13 ~~of future work in the department of labor and employment, created by~~
14 ~~executive order B 2019 009, shall, within the scope of the executive~~
15 ~~order, study unemployment assistance as part of its study on the~~
16 ~~modernization of worker benefits and protections.~~

17 ~~(2) On or before January 15, 2021, the office of future work shall~~
18 ~~submit an initial report as directed by executive order B 2019 009 to the~~
19 ~~governor and to the business, labor, and technology committee of the~~
20 ~~senate and the business affairs and labor committee of the house of~~
21 ~~representatives, or their successor committees.~~

22 **SECTION 3.** In Colorado Revised Statutes, 8-15.7-101, **amend**
23 **(2)(c), (3), (4), (6), (14), (15), and (17); repeal (10); and add (6.3), (6.5),**
24 **(9.5), (12.5), and (13.5)** as follows:

25 **8-15.7-101. Definitions.** As used in this article 15.7, unless the
26 context otherwise requires:

27 (2) "Apprenticeable occupation" means an occupation specified

1 by an industry that involves the progressive attainment of skills,
2 competencies, and knowledge that are:

3 (c) Offered through a time-based, competency-based, or hybrid
4 model that the director has determined meets the requirements of this
5 article 15.7 and ~~29 CFR 29 and 30~~ CONFORMS WITH FEDERAL
6 REGULATIONS.

7 (3) "Apprenticeship agreement" means a written agreement
8 between an apprentice and a sponsor OR AN APPRENTICESHIP COMMITTEE
9 ACTING AS AGENT FOR THE SPONSOR, IN CONFORMITY WITH FEDERAL
10 REGULATIONS.

11 (4) "Apprenticeship program" means ~~a program that:~~

12 (a) ~~Is established by a sponsor for training individuals for one or~~
13 ~~more apprenticeable occupations;~~

14 (b) ~~Combines on-the-job training and related instruction according~~
15 ~~to the specifications established by federal law and this article 15.7~~ A
16 PLAN CONTAINING ALL TERMS AND CONDITIONS FOR THE QUALIFICATION,
17 RECRUITMENT, SELECTION, EMPLOYMENT, AND TRAINING OF APPRENTICES
18 THAT MEETS THE REQUIREMENTS OF THIS ARTICLE 15.7 AND CONFORMS
19 WITH FEDERAL REGULATIONS, INCLUDING THE REQUIREMENT FOR A
20 WRITTEN APPRENTICESHIP AGREEMENT.

21 ==

22 (6) "Certificate of registration" means ~~a document issued by the~~
23 ~~SAA to a sponsor that indicates that the sponsor's apprenticeship program~~
24 ~~is registered pursuant to this article 15.7~~ DOCUMENTATION THAT A
25 REGISTRATION AGENCY HAS REGISTERED AN APPRENTICESHIP PROGRAM
26 PURSUANT TO THIS ARTICLE 15.7 AND IN CONFORMITY WITH FEDERAL
27 REGULATIONS, AS EVIDENCED BY A CERTIFICATE OF REGISTRATION OR

1 OTHER WRITTEN DOCUMENTATION.

2 (6.3) "COMMITTEE FOR APPRENTICESHIP IN NEW AND EMERGING
3 INDUSTRIES" OR "CANEI" MEANS THE COMMITTEE FOR APPRENTICESHIP
4 IN NEW AND EMERGING INDUSTRIES CREATED IN SECTION 8-15.7-104.

5 (6.5) "COMMITTEE FOR APPRENTICESHIP IN THE BUILDING AND
6 CONSTRUCTION TRADES" OR "CABCT" MEANS THE COMMITTEE FOR
7 APPRENTICESHIP IN THE BUILDING AND CONSTRUCTION TRADES CREATED
8 IN SECTION 8-15.7-103.

9 (9.5) "FEDERAL REGULATIONS" MEANS THE REGULATIONS
10 PROMULGATED BY THE UNITED STATES SECRETARY OF LABOR UNDER THE
11 "NATIONAL APPRENTICESHIP ACT", 29 U.S.C. SEC. 50.

12 (10) ~~"Interagency advisory committee on apprenticeship" or~~
13 ~~"IAC" means the interagency advisory committee on apprenticeship~~
14 ~~created in section 8-15.7-104.~~

15 (12.5) "RECOGNIZED STATE APPRENTICESHIP AGENCY" MEANS THE
16 STATE APPRENTICESHIP AGENCY, IF RECOGNIZED BY THE UNITED STATES
17 DEPARTMENT OF LABOR, OR ANY OTHER STATE APPRENTICESHIP AGENCY
18 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR AS THE
19 APPRENTICESHIP AGENCY FOR THE STATE.

20 (13.5) "REGISTRATION AGENCY" MEANS THE UNITED STATES
21 DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP OR A RECOGNIZED
22 STATE APPRENTICESHIP AGENCY.

23 (14) ~~"Registration of an apprenticeship program" or "Registration~~
24 ~~of apprenticeship programs" means the registration by the SAA of an~~
25 ~~apprentice program that meets the basic standards and requirements~~
26 ~~established pursuant to this article 15.7 for purposes of meeting federal~~
27 ~~requirements, as evidenced by a certificate of registration~~ ACCEPTANCE

1 AND RECORDING OF AN APPRENTICESHIP PROGRAM BY THE UNITED STATES
2 DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP, OR REGISTRATION
3 OR APPROVAL BY A STATE APPRENTICESHIP AGENCY THAT IS RECOGNIZED
4 BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF
5 APPRENTICESHIP IN CONFORMITY WITH FEDERAL REGULATIONS. APPROVAL
6 IS EVIDENCED BY A CERTIFICATE OF REGISTRATION OR OTHER WRITTEN
7 DOCUMENTATION.

8 (15) "Sponsor" means: ~~an employer, a joint labor-management~~
9 ~~organization, a trade association, a professional association, a labor~~
10 ~~organization, an education and training provider, or a qualified~~
11 ~~intermediary that is applying to register an apprenticeship program.~~

12 (a) ANY PERSON, ASSOCIATION, COMMITTEE, OR ORGANIZATION
13 OPERATING AN APPRENTICESHIP PROGRAM AND IN WHOSE NAME THE
14 PROGRAM IS REGISTERED OR APPROVED; OR

15 (b) ANY PERSON, ASSOCIATION, COMMITTEE, OR ORGANIZATION
16 THAT IS OPERATING AN APPRENTICESHIP PROGRAM AND IS APPLYING TO
17 HAVE THE APPRENTICESHIP PROGRAM REGISTERED OR APPROVED IN ITS
18 NAME.

19 (17) "State apprenticeship council" or "SAC" means the state
20 apprenticeship council ~~created in~~ ESTABLISHED PURSUANT TO section
21 ~~8-15.7-103~~ 8-15.7-105.

22 **SECTION 4.** In Colorado Revised Statutes, 8-15.7-102, **amend**
23 (1) and (4); and **add** (1)(b.5) and (5) as follows:

24 **8-15.7-102. State apprenticeship agency - created - director -**
25 **powers and duties - rules.** (1) There is ~~hereby~~ created in the department
26 the state apprenticeship agency. The executive director shall appoint a
27 director of the SAA. The SAA shall:

1 (a) Serve as the primary point of contact with the United States
2 department of labor's office of apprenticeship;

3 (b) Accelerate new apprenticeship program growth on a
4 geographically diverse basis, especially in high-demand occupations,
5 while ensuring quality standards;

6 (b.5) ESTABLISH THE STATE APPRENTICESHIP COUNCIL, WHICH
7 OPERATES UNDER THE DIRECTION OF THE SAA, TO PROVIDE ADVICE AND
8 GUIDANCE TO THE SAA;

9 (c) ~~Encourage the development of and assist in the establishment~~
10 ~~of apprenticeship programs and promote enrollment in apprenticeship~~
11 ~~programs by providing technical and compliance assistance to sponsors,~~
12 ~~apprentices, and apprenticeship programs and ensuring program~~
13 ~~compliance with apprenticeship standards~~ PROVIDE ADMINISTRATIVE
14 SUPPORT TO THE SAC IN CARRYING OUT ITS DUTIES;

15 (d) ~~Register and oversee apprenticeship programs and~~
16 ~~apprenticeship agreements~~ WORK IN PARTNERSHIP WITH RELEVANT STATE
17 AGENCIES TO REDUCE DUPLICATION OF POST-SECONDARY PROGRAM
18 APPROVAL;

19 (e) ~~Issue certificates of registration to existing apprenticeship~~
20 ~~programs~~ SEEK RECOGNITION BY THE UNITED STATES DEPARTMENT OF
21 LABOR AND OPERATE THE SAA IN CONFORMITY WITH FEDERAL
22 REGULATIONS; ==

23 (f) ~~Issue certificates of registration to sponsors of apprenticeship~~
24 ~~programs~~; COORDINATE THE REGISTERED APPRENTICESHIP PROGRAMS
25 WITH COLORADO'S ECONOMIC DEVELOPMENT STRATEGIES AND PUBLICLY
26 FUNDED WORKFORCE INVESTMENT SYSTEM; AND

27 (g) ~~Determine required standards for registration of an~~

- 1 apprenticeship program;
- 2 (h) ~~Perform quality assurance assessments;~~
- 3 (i) ~~Approve the appropriate implementation of an apprenticeship~~
- 4 ~~program;~~
- 5 (j) ~~Maintain adequate records concerning registration~~
- 6 ~~requirements, approved program standards, the apprentices in each~~
- 7 ~~registered apprenticeship program, deregistration actions, compliance~~
- 8 ~~reviews and investigations, and any other matters stipulated by the United~~
- 9 ~~States department of labor's office of apprenticeship that are pertinent to~~
- 10 ~~compliance by apprenticeship programs with the requirements of this~~
- 11 ~~article 15.7;~~
- 12 (k) Monitor and evaluate apprenticeship programs' performance
- 13 and compliance with federal and state standards. and report to the SAC
- 14 and the IAC on the outcome of quality assurance assessments;
- 15 (l) ~~Complete deregistration of apprenticeship programs that do not~~
- 16 ~~meet the requirements of this article 15.7;~~
- 17 (m) ~~Review apprenticeship programs for reinstatement of~~
- 18 ~~registration;~~
- 19 (n) ~~Submit an equal employment opportunity in apprenticeship~~
- 20 ~~state plan to the United States department of labor's office of~~
- 21 ~~apprenticeship;~~
- 22 (o) ~~Create a policy of reciprocity with other states to ensure the~~
- 23 ~~registration of apprenticeship programs;~~
- 24 (p) ~~Award certificates of completion and monitor apprentices with~~
- 25 ~~active status, apprenticeship completions, and the ongoing operation of~~
- 26 ~~registered apprenticeship programs;~~
- 27 (q) ~~Provide administrative support to the SAC and the IAC in~~

1 carrying out their duties; and

2 (r) ~~Work in partnership with relevant state agencies to reduce~~
3 ~~duplication of post-secondary program approval.~~

4 (4) The director may promulgate rules as necessary to implement
5 this article 15.7, ~~including rules affecting the registration, performance,~~
6 ~~and legal compliance of apprenticeship programs~~ WHICH RULES MUST
7 CONFORM WITH FEDERAL REGULATIONS.

8 (5) (a) THE DIRECTOR MAY:

9 (I) APPROVE THE REGISTRATION OF APPRENTICESHIP PROGRAMS IN
10 CONFORMITY WITH FEDERAL REGULATIONS; AND

11 (II) APPROVE THE DEREGISTRATION OF APPRENTICESHIP
12 PROGRAMS AT THE REQUEST OF THE SPONSOR OR AFTER A HEARING
13 PURSUANT TO SECTION 8-15.7-107.

14 (b) THE DETERMINATION OF THE DIRECTOR IS A FINAL AGENCY
15 ACTION THAT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION
16 24-4-106.

17 **SECTION 5.** In Colorado Revised Statutes, 8-15.7-103, **amend**
18 (1), (2)(a) introductory portion, (2)(a)(II) introductory portion, (2)(c),
19 (2)(f) introductory portion, (2)(f)(I), (2)(g), and (3) as follows:

20 **8-15.7-103. Committee for apprenticeship in the building and**
21 **construction trades - created - members - powers and duties.** (1) The
22 director shall establish the ~~state apprenticeship council to oversee~~
23 ~~COMMITTEE~~ FOR APPRENTICESHIP IN THE BUILDING AND CONSTRUCTION
24 TRADES ~~AS A SUBCOMMITTEE OF THE SAC TO ADVISE THE SAA ON~~
25 registered apprenticeship programs for the building and construction
26 trades in the state.

27 (2) (a) The ~~SAC~~ CABCT consists of sixteen members appointed

1 as follows:

2 (II) The governor shall appoint seven nonvoting, ex officio
3 members to serve on the SAC CABCT and the IAC CANEI as follows:

4 (c) The director shall appoint one member of the SAC CABCT to
5 serve as the chair for a term of two years. A chair may be appointed to
6 serve no more than two full terms.

7 (f) The SAC CABCT:

8 (I) Shall meet at least quarterly and at the request of the director
9 as needed to accomplish the objectives of the SAC CABCT;

10 (g) No member of the SAC CABCT may receive any
11 compensation from an apprenticeship program.

12 (3) For the building and construction trades, the SAC CABCT
13 shall PERFORM THE FOLLOWING DUTIES AS A SUBCOMMITTEE OF THE SAC:

14 (a) ~~Register with and maintain the standards of the United States~~
15 ~~department of labor's office of apprenticeship and develop minimum~~
16 ~~standards for registration of apprenticeship programs~~ ADVISE THE SAA
17 ON THE MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP
18 PROGRAMS;

19 (b) ~~Resolve conflicts and complaints that arise between parties to~~
20 ~~an apprenticeship agreement when a conflict exists, after the conflict has~~
21 ~~been addressed by local entities charged with this function under the~~
22 ~~relevant apprenticeship program standards and the SAA~~ ADVISE THE SAA
23 ON STATE PLANS, RULES, AND ADMINISTRATIVE PROCEDURES PERTINENT
24 TO THE OPERATION OF APPRENTICESHIP PROGRAMS AND EQUAL
25 EMPLOYMENT OPPORTUNITIES IN APPRENTICESHIPS;

26 (c) ~~Review program performance standards and make findings of~~
27 ~~fact and decisions on enforcement actions based on each review~~ SUPPORT

1 THE SAA IN COMMUNICATIONS, TECHNICAL ASSISTANCE, AND PROMOTING
2 PROMISING PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS; AND

3 ~~(d) Recommend additions and changes concerning rules about~~
4 ~~apprenticeship programs to the director;~~ PROVIDE AN ANNUAL REPORT TO
5 THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED
6 BY AGE, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY.

7 ~~(e) Provide technical and professional guidance for identifying~~
8 ~~and promoting best practices in registered apprenticeship programs;~~

9 ~~(f) Develop administrative policies that ensure the safety and~~
10 ~~quality of registered apprenticeship programs and address, as warranted,~~
11 ~~the related needs of Colorado's businesses, the labor workforce, and~~
12 ~~communities;~~

13 ~~(g) Provide an annual report to the executive director with~~
14 ~~apprenticeship data disaggregated by age of population, race, gender,~~
15 ~~veteran status, disability, and industry;~~

16 ~~(h) Advise the SAA regarding effective performance of the SAC's~~
17 ~~assigned functions; and~~

18 ~~(i) Formulate policies for the building and construction trades as~~
19 ~~may be necessary to carry out the purposes of this article 15.7.~~

20 **SECTION 6.** In Colorado Revised Statutes, 8-15.7-104, **amend**
21 (1), (2)(a) introductory portion, (2)(a)(II), (2)(b)(III), (2)(e) introductory
22 portion, (2)(e)(I), (2)(f), and (3) as follows:

23 **8-15.7-104. Committee for apprenticeship in new and**
24 **emerging industries - created - members - powers and duties.** (1) The
25 director shall establish the ~~interagency advisory committee on~~
26 ~~apprenticeship to oversee~~ COMMITTEE FOR APPRENTICESHIP IN NEW AND
27 EMERGING INDUSTRIES AS A SUBCOMMITTEE OF THE SAC TO ADVISE THE

1 SAA ON apprenticeship programs that are not within the jurisdiction of
2 the SAC CABCT.

3 (2) (a) The IAC CANEI consists of fourteen members appointed
4 as follows:

5 (II) The governor shall appoint ~~the~~ six nonvoting, ex officio
6 members, one of whom is a representative of the department of higher
7 education, and five of whom are appointed pursuant to section 8-15.7-103
8 (2)(a)(II), to the IAC CANEI.

9 (b) (III) The director shall appoint one member of the IAC CANEI
10 to serve as the chair for a term of two years. A chair may be appointed to
11 serve no more than two full terms.

12 (e) The IAC CANEI:

13 (I) Shall meet at least quarterly and at the request of the director
14 as needed to accomplish the objectives of the IAC CANEI;

15 (f) No member of the IAC CANEI may receive any compensation
16 from an apprenticeship program.

17 (3) For all apprenticeships that are not within the building and
18 construction trades and not under the jurisdiction of the SAC CABCT, the
19 IAC CANEI shall PERFORM THE FOLLOWING DUTIES AS A SUBCOMMITTEE
20 OF THE SAC:

21 (a) ~~Register with and maintain the standards of the United States~~
22 ~~department of labor's office of apprenticeship and develop minimum~~
23 ~~standards for registration of apprenticeship programs~~ ADVISE THE SAA
24 ON THE MINIMUM STANDARDS FOR REGISTRATION OF APPRENTICESHIP
25 PROGRAMS;

26 (b) ~~Resolve conflicts and complaints that arise between parties to~~
27 ~~an apprenticeship agreement when a conflict exists, after the conflict has~~

1 ~~been addressed by local entities charged with this function under the~~
2 ~~relevant apprenticeship program standards and the SAA~~ ADVISE THE SAA
3 ON STATE PLANS, RULES, AND ADMINISTRATIVE PROCEDURES PERTINENT
4 TO THE OPERATION OF APPRENTICESHIP PROGRAMS AND EQUAL
5 EMPLOYMENT OPPORTUNITIES IN APPRENTICESHIPS;

6 (c) ~~Review program performance standards and make findings of~~
7 ~~fact and decisions on enforcement actions based on each review~~ SUPPORT
8 THE SAA IN COMMUNICATIONS, TECHNICAL ASSISTANCE, AND PROMOTING
9 PROMISING PRACTICES IN REGISTERED APPRENTICESHIP PROGRAMS; AND

10 (d) ~~Recommend additions and changes concerning rules about~~
11 ~~apprenticeship programs to the director;~~ PROVIDE AN ANNUAL REPORT TO
12 THE EXECUTIVE DIRECTOR WITH APPRENTICESHIP DATA DISAGGREGATED
13 BY AGE, RACE, GENDER, VETERAN STATUS, DISABILITY, AND INDUSTRY.

14 (e) ~~Provide technical and professional guidance for identifying~~
15 ~~and promoting best practices in registered apprenticeship programs;~~

16 (f) ~~Develop administrative policies that ensure the safety and~~
17 ~~quality of registered apprenticeship programs and address, as warranted,~~
18 ~~the related needs of Colorado's businesses, the labor workforce, and~~
19 ~~communities;~~

20 (g) ~~Provide an annual report to the executive director with~~
21 ~~apprenticeship data disaggregated by age of population, race, gender,~~
22 ~~veteran status, disability, and industry;~~

23 (h) ~~Advise the SAA regarding effective performance of the IAC's~~
24 ~~assigned functions; and~~

25 (i) ~~Formulate policies for the industries within the IAC's~~
26 ~~jurisdiction as may be necessary to carry out the purposes of this article~~
27 ~~15.7.~~

1 **SECTION 7.** In Colorado Revised Statutes, **amend**
2 **8-15.7-105** as follows:

3 **8-15.7-105. State apprenticeship council - created - members**
4 **powers - duties.** (1) (a) ~~The chairs of the SAC and the IAC shall~~
5 ~~establish an ad hoc joint resolution committee of the SAC and IAC,~~
6 ~~referred to in this section as the "ad hoc committee". The ad hoc~~
7 ~~committee consists of two members from both the IAC and the SAC~~
8 ~~appointed by the director. The ad hoc committee shall resolve conflicts~~
9 ~~that arise between the SAC and the IAC and shall define the jurisdiction~~
10 ~~of the SAC and the IAC.~~ THE DIRECTOR SHALL ESTABLISH THE STATE
11 APPRENTICESHIP COUNCIL TO PROVIDE ADVICE AND GUIDANCE TO THE
12 STATE APPRENTICESHIP AGENCY ON THE OPERATION OF THE STATE'S
13 APPRENTICESHIP SYSTEM.

14 (b) THE SAC:

15 (I) IS COMPOSED OF PERSONS FAMILIAR WITH APPRENTICEABLE
16 OCCUPATIONS;

17 (II) INCLUDES AN EQUAL NUMBER OF REPRESENTATIVES OF
18 EMPLOYER AND EMPLOYEE ORGANIZATIONS AND INCLUDES MEMBERS OF
19 THE PUBLIC WHO MUST NOT NUMBER MORE THAN THE NUMBER OF
20 REPRESENTATIVES OF EITHER EMPLOYER OR EMPLOYEE ORGANIZATIONS;

21 (III) INCLUDES ALL THE MEMBERS OF THE CABCT AND CANEI;

22 (c) THE CHAIRS OF THE CABCT AND CANEI SHALL SERVE AS
23 CO-CHAIRS OF THE SAC.

24 (1.5) THE SAC MAY CONVENE ADDITIONAL SUBCOMMITTEES AS
25 NEEDED TO FULFILL ITS DUTIES.

26 (2) ~~The ad hoc committee of the SAC and the IAC~~ SAC shall:

27 (a) Publish a statement defining the SAC's CABCT's jurisdiction

1 of the building and construction trades, and update the statement
2 periodically as necessary as determined by the ~~ad hoc committee~~ SAC;
3 and

4 (b) Resolve conflicts and complaints that arise between the ~~SAC~~
5 CABCT and the ~~IAC~~ CANEI as determined by the ~~ad hoc committee~~
6 SAC.

7 (3) If there is a tie among the ~~ad hoc committee~~ SAC members in
8 determining a resolution to a conflict, the director shall break the tie. A
9 decision of the ~~ad hoc committee~~ SAC is final.

10 (4) The ~~SAC~~ CABCT has jurisdiction over apprenticeship
11 programs for occupations in the building and construction trades. For
12 purposes of this section, occupations are in the building and construction
13 trades if either:

14 (a) Workers in the occupation perform construction,
15 reconstruction, renovation, alteration, demolition, painting, repair, or
16 maintenance work for roads, highways, buildings, structures, industrial
17 facilities, OR ENERGY PRODUCTION, ENERGY TRANSMISSION, OR ENERGY
18 DISTRIBUTION, or improvements of any type; or

19 (b) Apprentices in the apprenticeship program will be employed
20 by licensed contractors.

21 **SECTION 8.** In Colorado Revised Statutes, 8-15.7-106, **amend**
22 (1), (2), (3)(a), and (3)(b)(III) as follows:

23 **8-15.7-106. Application for registration of apprenticeship**
24 **programs - diversity initiatives - deregistration - rules.** (1) ~~On and~~
25 ~~after July 1, 2023~~ WITHIN THIRTY DAYS AFTER THE UNITED STATES
26 DEPARTMENT OF LABOR RECOGNIZES THE SAA, the SAA shall accept
27 applications for the registration of apprenticeship programs pursuant to

1 ~~29 CFR 29 and 30~~ IN CONFORMITY WITH FEDERAL REGULATIONS.

2 (2) Each apprenticeship program that registers with the SAA shall
3 adopt a written diversity recruitment plan that ensures equal opportunity
4 in the recruitment, selection, employment, and training of apprentices.
5 The ~~recruitment~~ plan must ~~include the adoption of~~ COMPLY WITH federal
6 regulations concerning equal employment. ~~under 29 CFR 29 and 30~~. The
7 SAA shall ~~ensure compliance with the federal regulations by filing the~~
8 FILE A COMPLIANT equal employment opportunity in apprenticeship state
9 plan ~~pursuant to section 8-15.7-102 (1)(n)~~ IN CONFORMITY WITH FEDERAL
10 REGULATIONS.

11 (3) (a) The SAA may deregister an apprenticeship program at the
12 request of the sponsor or, after a hearing ~~pursuant to section 8-15.7-107~~
13 IN CONFORMITY WITH FEDERAL REGULATIONS, for noncompliance with
14 this article 15.7 pursuant to conditions and rules established by the SAA.

15 (b) Any apprenticeship program deregistered for noncompliance
16 with this article 15.7 or any rules promulgated pursuant to this article 15.7
17 may present evidence to the SAA that the program is compliant. The
18 apprenticeship program's registration may be reinstated:

19 (III) If the apprenticeship program is prepared to ~~immediately~~
20 enroll one or more apprentices.

21 **SECTION 9.** In Colorado Revised Statutes, **repeal and reenact,**
22 **with amendments,** 8-15.7-107 as follows:

23 **8-15.7-107. Hearings.** (1) THE SAA SHALL CONDUCT HEARINGS
24 FOR THE PURPOSE OF RESOLVING COMPLIANCE ISSUES OR DEREGISTRATION
25 ISSUES WITH A REGISTERED APPRENTICESHIP PROGRAM IN CONFORMITY
26 WITH FEDERAL REGULATIONS.

27 (2) THE DETERMINATION OF THE SAA IS A FINAL AGENCY ACTION

1 THAT IS SUBJECT TO JUDICIAL REVIEW PURSUANT TO SECTION 24-4-106.

2 (3) SPONSORS MAY APPEAL TO THE UNITED STATES DEPARTMENT
3 OF LABOR'S OFFICE OF APPRENTICESHIP FOR A FINAL DETERMINATION IN
4 CONFORMITY WITH FEDERAL REGULATIONS.

5 **SECTION 10.** In Colorado Revised Statutes, 8-15.7-108, **amend**
6 (1) introductory portion and (1)(d) as follows:

7 **8-15.7-108. Rules.** (1) The director may promulgate rules to
8 implement this article 15.7, ~~including~~ WHICH RULES MUST CONFORM WITH
9 FEDERAL REGULATIONS. THE RULES MAY INCLUDE, BUT ARE NOT LIMITED
10 TO, rules that address:

11 (d) Grievance procedures for complaints not under the jurisdiction
12 of the United States equal employment opportunity commission,
13 including complaints concerning apprentices not moving through an
14 apprenticeship program in a timely manner and insufficient on-the-job
15 ~~training~~ LEARNING or classroom time.

16 **SECTION 11.** In Colorado Revised Statutes, 8-14.3-202, **amend**
17 (2) as follows:

18 **8-14.3-202. Definitions.** As used in this part 2, unless the context
19 otherwise requires:

20 (2) "Apprenticeship" means an apprenticeship training program
21 registered with the United States department of labor's office of
22 apprenticeship or a state apprenticeship ~~program~~ AGENCY recognized by
23 the United States department OF labor.

24 **SECTION 12.** In Colorado Revised Statutes, 8-73-108, **amend**
25 (4)(f)(I)(E) as follows:

26 **8-73-108. Benefit awards - definitions.** (4) **Full award.** An
27 individual separated from a job must be given a full award of benefits if

1 the division determines that any of the following reasons and pertinent
2 related conditions exist. The determination of whether or not the
3 separation from employment must result in a full award of benefits is the
4 responsibility of the division. The following reasons must be considered,
5 along with any other factors that may be pertinent to such determination:

6 (f) (I) Due to the particular nature of the building and construction
7 industry, construction workers who quit a construction job to accept a
8 different construction job in any of the following circumstances:

9 (E) Quitting a job outside the worker's regular apprenticeable
10 trade to return to work in ~~his or her~~ THE WORKER'S regular apprenticeable
11 trade. ~~For purposes of this paragraph (f)~~ AS USED IN THIS SUBSECTION
12 (4)(f), a "regular apprenticeable trade" ~~is~~ MEANS a skilled trade or
13 occupation in the construction industry in which, by longstanding and
14 recognized practice of a significant segment of the industry, a worker
15 generally must complete a period of apprenticeship or training pursuant
16 to a joint apprenticeship or other apprenticeship program ~~which~~ THAT is
17 in accordance with requirements for programs registered with the federal
18 government OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY THE
19 UNITED STATES DEPARTMENT OF LABOR. A worker may have more than
20 one regular apprenticeable trade.

21 **SECTION 13.** In Colorado Revised Statutes, 8-83-502, **amend**
22 (5)(d) as follows:

23 **8-83-502. Definitions.** As used in this part 5, unless the context
24 otherwise requires:

25 (5) "Eligible entity" means the following entities that serve a coal
26 transition community and that may apply for a grant:

27 (d) An apprenticeship program that is registered with the United

1 States department of labor or a state apprenticeship ~~council~~ AGENCY
2 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR;

3 **SECTION 14.** In Colorado Revised Statutes, 8-83-504.5, **amend**
4 (1)(a)(III)(A) as follows:

5 **8-83-504.5. Additional coal transition workforce assistance**
6 **program funding - coal transition workforce assistance program**
7 **account.** (1) (a) (III) Subject to annual appropriation by the general
8 assembly, the department shall expend money from the account for coal
9 transition workforce assistance programs that directly assist coal
10 transition workers or their family members and other household members,
11 including programs that:

12 (A) Establish or expand existing apprenticeship programs, the
13 training capacity of such programs, and the placement of coal transition
14 workers into such programs, prioritizing programs that are recognized as
15 registered apprenticeship programs by the department or ~~are~~
16 ~~industry-recognized apprenticeship programs that satisfy United States~~
17 ~~department of labor requirements for such programs~~ A STATE
18 APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES
19 DEPARTMENT OF LABOR;

20 **SECTION 15.** In Colorado Revised Statutes, 8-83-601, **amend**
21 (7) as follows:

22 **8-83-601. Definitions.** As used in this part 6:

23 (7) "Office" means the office of future OF work ~~described~~
24 CREATED in section ~~8-77-110~~ 8-15.8-103.

25 **SECTION 16.** In Colorado Revised Statutes, 12-115-115, **amend**
26 (3)(c) as follows:

27 **12-115-115. Apprentices - supervision - registration -**

1 **discipline - rules.** (3) (c) By ~~January 1, 2022, and by~~ January 1 each
2 year, ~~thereafter~~, an electrical contractor, an apprenticeship program
3 registered with the United States department of labor's ~~employment and~~
4 ~~training administration~~ OFFICE OF APPRENTICESHIP, and a state
5 apprenticeship ~~council~~ AGENCY recognized by the United States
6 department of labor that employs an apprentice in this state shall report
7 to the board the name and contact information of each apprentice in the
8 apprenticeship program and the cumulative number of practical training
9 hours and certified classroom hours each apprentice has completed
10 toward the journeyman electrician licensure requirements specified in
11 section 12-115-110. The board shall keep the information reported
12 pursuant to this subsection (3)(c) confidential from all parties other than
13 from the apprentice through the apprentice's individual registration
14 account. The department of regulatory agencies shall, if existing
15 resources are available or if the department receives gifts, grants, or
16 donations pursuant to subsection (7) of this section, indicate whether the
17 apprentice has completed the required practical training hours and
18 classroom hours in the department of regulatory agency's online
19 apprenticeship directory.

20 **SECTION 17.** In Colorado Revised Statutes, 12-155-124, **amend**
21 (3) and (6) as follows:

22 **12-155-124. Apprentices - rules.** (3) By ~~July 1, 2022, and by~~
23 July 1 each year, ~~thereafter~~, a registered plumbing contractor, an
24 apprenticeship program registered with the United States department of
25 labor's ~~employment and training administration~~ OFFICE OF
26 APPRENTICESHIP, and a state apprenticeship ~~council~~ AGENCY recognized
27 by the United States department of labor that employs a plumbing

1 apprentice in this state shall report to the board the name and contact
2 information of each plumbing apprentice in the apprenticeship program
3 and the cumulative number of practical training hours each plumbing
4 apprentice has completed toward the licensure requirements specified in
5 section 12-155-110. The board shall keep the information reported
6 pursuant to this subsection (3) confidential from all parties other than
7 from the plumbing apprentice through the plumbing apprentice's
8 individual registration account. The department of regulatory agencies
9 shall, if existing resources are available or if the department receives
10 gifts, grants, or donations pursuant to subsection (8) of this section,
11 indicate whether the plumbing apprentice has completed the required
12 practical training hours in the department of regulatory agencies' online
13 apprenticeship directory.

14 (6) A registered plumbing contractor, an apprenticeship program
15 registered with the United States department of labor's ~~employment and~~
16 ~~training administration~~ OFFICE OF APPRENTICESHIP, and a state
17 apprenticeship ~~council~~ AGENCY recognized by the United States
18 department of labor shall remove each plumbing apprentice that is no
19 longer employed as an apprentice from the apprenticeship program and
20 annually notify the board of the termination of the employment.

21 **SECTION 18.** In Colorado Revised Statutes, 22-35-103, **amend**
22 (1) as follows:

23 **22-35-103. Definitions.** As used in this article 35, unless the
24 context otherwise requires:

25 (1) "Apprenticeship program" means a Colorado-based
26 apprenticeship program that is registered with the United States
27 department of labor's office of apprenticeship or a state apprenticeship

1 ~~program~~ AGENCY recognized by the United States department of labor.

2 **SECTION 19.** In Colorado Revised Statutes, 22-54-138, **amend**
3 (1)(b) and (1)(c)(II) as follows:

4 **22-54-138. Career development success program - created -**
5 **funding - report - legislative declaration - definitions - repeal.** (1) As
6 used in this section, unless the context otherwise requires:

7 (b) "Construction industry apprenticeship program" means an
8 apprenticeship program registered with the office of apprenticeship in the
9 United States department of labor or a state apprenticeship ~~program~~
10 AGENCY recognized by the United States department of labor that trains
11 individuals for careers in the construction industry.

12 (c) "Construction industry pre-apprenticeship program" means a
13 program or set of strategies that:

14 (II) Has a documented relationship with at least one
15 apprenticeship program registered with the office of apprenticeship in the
16 United States department of labor or a state apprenticeship ~~program~~
17 AGENCY recognized by the United States department of labor; and

18 **SECTION 20.** In Colorado Revised Statutes, 24-1-121, **add**
19 (3)(m) as follows:

20 **24-1-121. Department of labor and employment - creation.**

21 (3) The department of labor and employment consists of the following
22 divisions and programs:

23 (m) THE OFFICE OF FUTURE OF WORK, THE HEAD OF WHICH IS THE
24 DIRECTOR OF THE OFFICE OF FUTURE OF WORK, CREATED IN SECTION
25 8-15.8-103. THE OFFICE OF FUTURE OF WORK AND THE OFFICE'S DIRECTOR
26 ARE **TYPE 2** ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE
27 THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS SPECIFIED BY

1 LAW UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT.

2 **SECTION 21.** In Colorado Revised Statutes, 24-46.3-103, **repeal**
3 (3)(a)(VIII) as follows:

4 **24-46.3-103. Key industries talent pipeline working group.**

5 (3) (a) In doing the work specified in subsection (2) of this section, the
6 state council, in partnership with the department of higher education, the
7 department of education, the department of labor and employment, and
8 the Colorado office of economic development, shall coordinate the
9 production of an annual Colorado talent report. In preparing the annual
10 Colorado talent report, the state council, the departments, and the office
11 may use previously collected data and are not required to collect new data
12 for the purposes of the report. The talent report shall:

13 ~~(VIII) Include the report and recommendations from the~~
14 ~~department of labor and employment regarding pre-apprenticeship and~~
15 ~~apprenticeship in Colorado, prepared as required by section 8-15-101,~~
16 ~~C.R.S., and~~

17 **SECTION 22.** In Colorado Revised Statutes, 24-46.3-104,
18 **amend** (2)(a); and **add** (2)(b.5) as follows:

19 **24-46.3-104. Career pathways - design - legislative declaration**
20 **- definitions.** (2) As used in this section, unless the context otherwise
21 requires:

22 (a) "Apprenticeship" means a registered apprenticeship program
23 with a written plan that is designed to move an apprentice from a low- or
24 no-skill entry-level position to full occupational proficiency. The program
25 must comply with the parameters established under the "National
26 Apprenticeship Act", 29 U.S.C. sec. 50, as amended, and ~~its promulgating~~
27 regulations PROMULGATED UNDER THE ACT, and MUST BE administered by

1 the United ~~State's~~ STATES department of labor's office of apprenticeship
2 or ~~must be~~ a state apprenticeship ~~program~~ AGENCY recognized by the
3 United States department of labor. An individual business, an employer
4 association, or a labor organization sponsors a registered apprenticeship.
5 Upon finishing a training program, the apprentice earns a "completion of
6 registered apprenticeship" certificate, which is an industry-issued and
7 nationally recognized credential that validates proficiency in an
8 apprenticeable occupation, or is awarded a certificate of completion.
9 ~~pursuant to article 15.7 of title 8.~~

10 (b.5) "CERTIFICATE OF COMPLETION" MEANS A CERTIFICATE
11 AWARDED TO AN APPRENTICE IN RECOGNITION OF THE SUCCESSFUL
12 COMPLETION OF AN APPRENTICESHIP PROGRAM.

13 **SECTION 23.** In Colorado Revised Statutes, 24-46.3-301,
14 **amend** (1) as follows:

15 **24-46.3-301. Definitions.** As used in this part 3, unless the
16 context otherwise requires:

17 (1) "Apprenticeship program" means a Colorado-based
18 apprenticeship training program that is registered with the office of
19 apprenticeship in the United States department of labor or a state
20 apprenticeship ~~program~~ AGENCY recognized by the United States
21 department of labor.

22 **SECTION 24.** In Colorado Revised Statutes, 24-46.3-503,
23 **amend** (5)(a)(II) and (5)(b) as follows:

24 **24-46.3-503. Strengthening photovoltaic and renewable**
25 **careers (SPARC) workforce development program - creation - use of**
26 **funds.** (5) (a) SPARC program activities or expenditures authorized
27 pursuant to this part 5 must not:

1 (II) Circumvent any established industry standard for on-the-job
2 training requirements or classroom education requirements of the
3 established Colorado apprenticeship programs registered through the
4 United States department of ~~labor~~ LABOR'S office of apprenticeship
5 training or a state apprenticeship ~~council~~ AGENCY recognized by that
6 office.

7 (b) To the extent possible, the SPARC program must support
8 activities that support participation in Colorado apprenticeship programs
9 registered through the United States department of ~~labor~~ LABOR'S office
10 of apprenticeship training or a state apprenticeship ~~council~~ AGENCY
11 recognized by that office and prioritize programs that seek to help
12 workers attain a professional credential, an industry standard certification,
13 or a professional license.

14 **SECTION 25.** In Colorado Revised Statutes, 24-46.3-702,
15 **amend** (2) as follows:

16 **24-46.3-702. Definitions.** As used in this part 7, unless the
17 context otherwise requires:

18 (2) "Apprenticeship sponsor" means an employer, association,
19 committee, or organization that operates an apprenticeship program
20 registered with the United States department of ~~labor~~ LABOR'S OFFICE OF
21 APPRENTICESHIP OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY
22 THAT OFFICE.

23 **SECTION 26.** In Colorado Revised Statutes, 24-75-112, **amend**
24 **(1)(d)(V)** as follows:

25 **24-75-112. Annual general appropriation act - headnote**
26 **definitions - general provisions - footnotes. (1) As used in the annual**
27 **general appropriation act, the following definitions and general provisions**

1 shall apply for the headnote terms preceding and specifying the purpose
2 of certain line items of appropriation:

3 (d) (V) The number of FTE specified in a particular item of
4 appropriation is the number utilized to calculate the amount appropriated
5 and necessary to fund any combination of part-time positions or full-time
6 positions equal to such number for the fiscal year to which the annual
7 general appropriation act pertains in accordance with the definition
8 contained in subsections (1)(d)(II) and (1)(d)(III) of this section and is not
9 a limitation on the number of FTE that may be employed. No department
10 shall make a material change in the number of FTE specified in a
11 particular item of appropriation prior to notifying the joint budget
12 committee in writing of such change. This subsection (1)(d)(V) does not
13 apply to department of personnel and administration state trainee
14 positions.

15 **SECTION 27.** In Colorado Revised Statutes, 24-92-103.5,
16 **amend** (3)(g) as follows:

17 **24-92-103.5. Construction of public projects - invitation for**
18 **best value bids.** (3) The invitation for competitive sealed best value bids
19 must identify the evaluation factors upon which the award will be made.
20 When making the award determination, the responsible officer shall
21 evaluate the factors specified in the invitation for bids and shall not
22 evaluate any other factors other than those specified in the invitation for
23 bids. The factors that must be included in the invitation for bids and that
24 the responsible officer shall consider include, but need not be limited to:

25 (g) The bidder's job standards, including the bidder's method of
26 personnel procurement, employment of Colorado workers, workforce
27 development and long-term career opportunities of workers, the

1 availability of training programs, including apprenticeships ~~approved~~
2 REGISTERED by the United States department of ~~labor~~ LABOR'S OFFICE OF
3 APPRENTICESHIP OR A STATE APPRENTICESHIP AGENCY RECOGNIZED BY
4 THAT OFFICE, the benefits provided to workers, including health-care and
5 defined benefit or defined contribution retirement benefits, and whether
6 the bidder pays industry-standard wages; and

7 **SECTION 28.** In Colorado Revised Statutes, 24-92-115, **amend**
8 (1)(a)(II) introductory portion, (1)(a)(III), (6)(a) introductory portion, and
9 (6)(a)(I) as follows:

10 **24-92-115. Apprenticeship utilization requirements -**
11 **mechanical, electrical, and plumbing contracts - public projects -**
12 **definition.** (1) (a) Unless prohibited by applicable federal law, and
13 except as otherwise provided in subsection (1)(b) of this section, the
14 contract for any public works project that does not receive federal money,
15 including a public project that will have an integrated project delivery
16 contract pursuant to article 93 of this title 24, in the amount of one million
17 dollars or more shall require the general contractor or other firm to which
18 the contract is awarded to submit, at the time the mechanical, electrical,
19 or plumbing subcontractor is put under contract, documentation to the
20 agency of government that:

21 (II) Certifies that all firms identified participate in apprenticeship
22 programs registered with the United States department of labor's
23 ~~employment and training administration~~ OFFICE OF APPRENTICESHIP OR A
24 state apprenticeship ~~councils~~ AGENCY recognized by the United States
25 department of labor and have a proven record of graduating apprentices
26 as follows:

27 (III) Supplies supporting documentation from the United States

1 department of labor's office of apprenticeship OR A STATE
2 APPRENTICESHIP AGENCY RECOGNIZED BY THE UNITED STATES
3 DEPARTMENT OF LABOR verifying the information provided in the
4 certification specified in subsection (1)(a)(II) of this section.

5 (6) (a) To promote and facilitate the development of new
6 apprenticeship programs, an apprenticeship program that does not satisfy
7 the requirements of subsection (1)(a) of this section may petition the
8 department of labor and employment for conditional approval for THE
9 purposes of this section. To be allowed conditional approval, an
10 apprenticeship program must demonstrate the following:

11 (I) The program has been registered with the United States
12 department of labor's ~~employment and training administration~~ OFFICE OF
13 APPRENTICESHIP or a state apprenticeship ~~council~~ AGENCY RECOGNIZED
14 BY THE UNITED STATES DEPARTMENT OF LABOR and has been providing
15 training for at least six months; and

16 **SECTION 29.** In Colorado Revised Statutes, 24-92-208, **amend**
17 (2)(b) as follows:

18 **24-92-208. Apprenticeship contribution rate.** (2) The amount
19 of the apprenticeship contribution will be set in accordance with the
20 apprenticeship contribution of the collective bargaining agreement of the
21 applicable trade in the geographic locality of the public project.
22 Contractors shall achieve compliance with this requirement by one of the
23 following options:

24 (b) Contractors that are not signatory to a collective bargaining
25 agreement but that are members of a multi-employer trade association that
26 sponsors an apprenticeship program registered with the United States
27 department of labor's ~~employment and training administration~~ OFFICE OF

1 APPRENTICESHIP or A STATE APPRENTICESHIP AGENCY recognized by the
2 United States department of labor, or THAT directly sponsor such a
3 program for their own employees, shall pay the determined apprenticeship
4 contribution to that program or to a state apprenticeship council registered
5 with AGENCY RECOGNIZED BY the United States department of labor; or

6 **SECTION 30.** In Colorado Revised Statutes, 30-20-1105, **amend**
7 (3) introductory portion as follows:

8 **30-20-1105. Integrated project delivery contracting process -**
9 **prequalification of participating entities - apprentice training.**

10 (3) Where an apprentice training program ~~certified~~ REGISTERED by the
11 office of apprenticeship in the employment and training administration in
12 the United States department of labor LABOR'S OFFICE OF APPRENTICESHIP
13 or a state apprenticeship program AGENCY recognized by the United
14 States department of labor exists in the county, or a comparable program
15 AGENCY for the training of apprentices is available in the county:

16 **SECTION 31.** In Colorado Revised Statutes, 40-2-123, **amend**
17 (2)(d)(I) introductory portion as follows:

18 **40-2-123. Energy technologies - consideration by commission**
19 **- incentives - demonstration projects - definitions - repeal.**

20 (2) (d) (I) In the construction or expansion of an innovative energy
21 technology project approved pursuant to this subsection (2), an
22 investor-owned utility shall use its own employees or qualified
23 contractors, or both, but shall not use a contractor unless the contractor's
24 employees have access to an apprenticeship program registered with the
25 United States department of labor's office of apprenticeship or by a state
26 apprenticeship council AGENCY recognized by that office; except that this
27 apprenticeship requirement does not apply to:

1 **SECTION 32.** In Colorado Revised Statutes, 40-2-126, **amend**
2 (5) introductory portion as follows:

3 **40-2-126. Transmission facilities - biennial review - energy**
4 **resource zones - definitions - plans - approval - cost recovery -**
5 **powerline trail consideration.** (5) In any construction or expansion
6 approved pursuant to this section, the utility shall use its own employees
7 or qualified contractors, or both, but shall not use a contractor unless the
8 contractor's employees have access to an apprenticeship program
9 registered with the United States department of labor's office of
10 apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized
11 by that office; except that this apprenticeship requirement does not apply
12 to:

13 **SECTION 33.** In Colorado Revised Statutes, 40-2-127, **amend**
14 (3.5)(b) introductory portion as follows:

15 **40-2-127. Community energy funds - community solar**
16 **gardens - definitions - rules - legislative declaration - repeal.**
17 (3.5) **Standards for construction and operation.** The following
18 requirements apply to any community solar garden exceeding two
19 megawatts:

20 (b) Following the development or acquisition by a qualifying retail
21 utility of a community solar garden in which the qualifying retail utility
22 retains ownership, the qualifying retail utility shall either use its own
23 employees to operate and maintain the community solar garden or
24 contract for operation and maintenance of the community solar garden by
25 a contractor whose employees have access to an apprenticeship program
26 registered with the United States department of labor's office of
27 apprenticeship or with a state apprenticeship ~~council~~ AGENCY recognized

1 by that office; except that this apprenticeship requirement does not apply
2 to:

3 **SECTION 34.** In Colorado Revised Statutes, 40-2-127.5, **amend**
4 (4)(b) introductory portion as follows:

5 **40-2-127.5. Community energy funds - community geothermal**
6 **gardens - rules - legislative declaration - definitions - repeal.**

7 (4) **Standards for construction and operation.** The following
8 requirements apply to any community geothermal garden exceeding two
9 megawatts:

10 (b) Following the development or acquisition by a qualifying retail
11 utility of a community geothermal garden in which the qualifying retail
12 utility retains ownership, the qualifying retail utility shall either use its
13 own employees to operate and maintain the community geothermal
14 garden or contract for operation and maintenance of the community
15 geothermal garden by a contractor whose employees have access to an
16 apprenticeship program registered with the United States department of
17 labor's office of apprenticeship or with a state apprenticeship ~~council~~
18 AGENCY recognized by that office; except that this apprenticeship
19 requirement does not apply to:

20 **SECTION 35.** In Colorado Revised Statutes, 40-2-129, **amend**
21 (1)(a) and (2) introductory portion as follows:

22 **40-2-129. New resource acquisitions - factors in determination**
23 **- local employment - "best value" employment metrics - performance**
24 **audit.** (1) (a) (I) When evaluating electric resource acquisitions and
25 requests for a certificate of convenience and necessity for construction or
26 expansion of generating facilities, including but not limited to pollution
27 control or fuel conversion upgrades and conversion of existing coal-fired

1 plants to natural gas plants, the commission shall consider, in all
2 decisions involved in electric resource acquisition processes, best value
3 regarding employment of Colorado labor, as defined in section 8-17-101
4 (2)(a), and positive impacts on the long-term economic viability of
5 Colorado communities. To this end, the commission shall require utilities
6 to obtain and provide to the commission the following information
7 regarding "best value" employment metrics:

8 (A) The availability of training programs, including training
9 through apprenticeship programs registered with the United States
10 department of labor's office of apprenticeship or by state apprenticeship
11 ~~councils~~ AGENCIES recognized by that office;

12 (B) Employment of Colorado labor as compared to importation of
13 out-of-state workers;

14 (C) Long-term career opportunities; and

15 (D) Industry-standard wages, health care, and pension benefits.

16 (II) When a utility proposes to construct new facilities of its own,
17 the utility shall supply similar information to the commission.

18 (2) Following development or acquisition of a generating facility
19 by a utility, for all generating facilities owned by the utility that do not
20 emit carbon dioxide, the utility shall use utility employees or qualified
21 contractors if the contractors' employees have access to an apprenticeship
22 program registered with the United States department of labor's office of
23 apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized
24 by that office; except that this apprenticeship requirement does not apply
25 to:

26 **SECTION 36.** In Colorado Revised Statutes, 40-3.2-105.5,
27 **amend** (3)(a)(I)(A), (3)(b)(I), and (4)(b)(I) as follows:

1 **40-3.2-105.5. Labor standards for gas DSM projects.**

2 (3) (a) The utility shall make use of a list, referred to in this section as the
3 "certified contractor list", containing the names and contact information
4 of:

5 (I) Qualified contractors that participate in apprenticeship
6 programs that:

7 (A) Are registered with the United States department of labor's
8 ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or
9 with a state apprenticeship ~~council~~ AGENCY recognized by the United
10 States department of labor; and

11 (b) The Colorado department of labor and employment shall
12 oversee the compilation of the certified contractor list through one of the
13 following methods:

14 (I) Directing the state apprenticeship ~~council~~ AGENCY
15 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR, if available,
16 to assemble the information; or

17 (4) The following requirements apply to gas DSM projects in new
18 or existing buildings:

19 (b) (I) For plumbing, mechanical, or electrical projects that
20 involve energy efficiency improvements to central building systems in a
21 multifamily building that contains twenty thousand square feet or more
22 of conditioned floor space and for which a rebate is to be provided
23 directly to the building owner as part of a gas DSM program, the utility
24 shall condition payment of the rebate on the building owner's exclusive
25 use of contractors that participate in apprenticeship programs registered
26 with the United States department of labor's ~~employment and training~~
27 ~~administration~~ OFFICE OF APPRENTICESHIP or with a state apprenticeship

1 ~~council~~ AGENCY recognized by the United States department of labor for
2 any necessary plumbing or electrical work. If the contractor chosen by the
3 customer is not on the certified contractor list, the utility shall require
4 another method of verifying compliance with this subsection (4)(b).

5 **SECTION 37.** In Colorado Revised Statutes, 40-3.2-105.6,
6 **amend** (3)(a)(I) and (4)(b)(I) as follows:

7 **40-3.2-105.6. Labor standards for beneficial electrification**
8 **projects.** (3) (a) The utility shall obtain from the Colorado department
9 of labor and employment and shall make use of a list, referred to in this
10 section as the "certified contractor list", containing the names and contact
11 information of:

12 (I) Qualified contractors that participate in apprenticeship
13 programs that are registered with the United States department of labor's
14 ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or
15 with a state apprenticeship ~~council~~ AGENCY recognized by the United
16 States department of labor; and

17 (4) The following requirements apply to beneficial electrification
18 projects in new or existing industrial, commercial, or multifamily
19 residential buildings:

20 (b) (I) For plumbing, mechanical, or electrical projects that
21 involve the beneficial electrification of central building systems in a
22 multifamily building that contains twenty thousand square feet or more
23 of conditioned floor space and for which a rebate is to be provided
24 directly to the building owner as part of a beneficial electrification
25 program, the utility shall condition payment of the rebate on the building
26 owner's exclusive use of contractors that participate in apprenticeship
27 programs registered with the United States department of labor's

1 ~~employment and training administration~~ OFFICE OF APPRENTICESHIP or
2 with a state apprenticeship ~~council~~ AGENCY recognized by the United
3 States department of labor for any necessary plumbing or electrical work.
4 If the contractor chosen by the building owner is not on the certified
5 contractor list, the utility shall require another method of verifying
6 compliance with this subsection (4)(b).

7 **SECTION 38.** In Colorado Revised Statutes, 40-3.2-108, **amend**
8 (8)(d)(I) as follows:

9 **40-3.2-108. Clean heat targets - legislative declaration -**
10 **definitions - plans - rules - reports. (8) Employment and utility**
11 **workforce.** (d) In all decisions approving clean heat resources to be
12 acquired as part of a clean heat plan, the commission shall consider the
13 long-term impacts on Colorado's utility workforce as part of a just
14 transition and shall give additional weight to a project that includes:

15 (I) Training programs, including training through the division of
16 employment and training in the department of labor and employment
17 created in section 8-83-102, or APPRENTICESHIP PROGRAMS REGISTERED
18 WITH THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF
19 APPRENTICESHIP OR a state apprenticeship ~~council~~ registered with AGENCY
20 RECOGNIZED BY the United States department of labor;

21 **SECTION 39.** In Colorado Revised Statutes, 40-42-107, **amend**
22 (1)(b) introductory portion as follows:

23 **40-42-107. Labor standards - apprenticeship - supervision.**
24 (1) The authority shall ensure that, in any construction, expansion, or
25 maintenance of facilities undertaken in Colorado pursuant to this article
26 42, all labor is performed either by the employees of an electric utility or
27 by qualified contractors, or both, and that, except as otherwise provided

1 in subsection (3) of this section, an electric utility not use a contractor
2 unless:

3 (b) The contractor's employees have access to an apprenticeship
4 program registered with the United States department of labor's office of
5 apprenticeship or by a state apprenticeship ~~council~~ AGENCY recognized
6 by that office and meeting the additional criteria specified in subsection
7 (2) of this section; except that this apprenticeship requirement does not
8 apply to:

9 **SECTION 40. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.