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**Testimony of Kim Moore,
Bureau of Employment Services, Maine Department of Labor
Neither For Nor Against
LD 2280, An Act to Strengthen Maine's Workforce Through
Preapprenticeship Training Programs
To the Joint Standing Committee on Labor and Housing Public Hearing,
Wednesday, March 27, 2024**

Good afternoon Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor and Housing. My name is Kim Moore, Director of the Bureau of Employment Services for the Maine Department of Labor (Department). I am here today to speak on behalf of the Department Neither For Nor Against LD 2280, "An Act to Strengthen Maine's Workforce Through Preapprenticeship Training Programs".

Thank you for providing us with the opportunity to testify on this bill. The Department is grateful for the continued support to expand and improve upon our quality certified pre-apprenticeship and registered apprenticeship programs. Our position is neither for nor against and I'll briefly outline some initial thoughts regarding the bill language.

While pre-apprenticeship is not legislated by the federal government, the registration of apprenticeship sponsors and registered apprenticeship programs are. Modifications to Maine Statute Title 26, §3213 were finalized in 2021 and the word "certification" was used to define the Department's approval of pre-apprenticeship programs. The Department very recently defined and adopted a robust process for certifying high-quality pre-apprenticeship programs in Chapter 3 Rules, Section 1.3. To avoid confusion between the two programs, pre-apprenticeship is consistently referenced as "certified" throughout Maine statute and rules and helps to distinguish between pre-apprenticeship programs and registered apprenticeship programs. The proposed language moving to "registered" rather than "certified" appears to be a matter of semantics. The bill appears to mirror the requirements in Maine statute for "certified". In addition to the statute change, implementation will require the department to conduct rulemaking in order to reflect changes in the law.

Sub Sec. 2.B of Sec. 5 "Requirements for funding" provides that 51% of all funds should be awarded to programs that have proven success at pre-apprenticeship and result in total value package of no less than \$40 / hr. upon graduation from the registered apprenticeship program." We believe that targeting eligibility to "priority sectors for high-wage, in-demand jobs," as required by the bill, is reasonable considering the high wages associated with these jobs. Additionally, total package value as defined by Title 26, §3201, includes wages, the cost of employer-paid health insurance and the dollar value of employer-paid retirement contribution benefits, on top of the already high wages. We believe this language is broad enough and will not limit those able to utilize these funds.

The pre-apprenticeship certification process is rigorous, yet intentionally less cumbersome to encourage greater use by schools and businesses. Certified pre-apprenticeship programs are established through a memorandum of agreement (MOA) submitted to the Maine Apprenticeship Program office and, like registered apprenticeship programs, are reviewed by the Maine Apprenticeship Council to ensure compliance with pre-apprenticeship statute and rules. Since June of 2023, we have certified 36 pre-apprenticeship programs connected to 12 organizations. In less than 12 months we have enrolled 672 pre-apprentices, of which 73% have completed. Of the 490 who completed by the end of 2023, 147 have already become registered apprentices, with more to come as employers continue hiring new registered apprentices throughout the spring and summer. I'm thrilled to note that the 672 number includes 277 women, 54 people with disabilities, 217 people of color, 32 justice involved individuals, and 380 youth.

Additionally, we request that the language establishing the position dedicated to managing the pre-apprenticeship program be clarified to reflect that the position runs concurrently with the funding.

Thank you very much for your time and consideration of my testimony. I am attaching the template that outlines the current requirements for the certification of programs.

I would be happy to answer any questions you may have and will be available for the work session.

The Maine Department of Labor is committed to serving Maine workers and businesses by helping employers recruit and train a talented workforce, providing workers with skills needed to compete in our economy, assisting individuals when jobs are lost, aiding people with disabilities reach career goals, ensuring safe and fair workplaces for people on the job and providing research and analysis of employment data to support job growth.

Certified Pre-Apprenticeship Memorandum of Agreement



The intent of certified pre-apprenticeship programming is to serve as a direct connection to employment in apprenticeship programs registered with the Maine Department of Labor. This Memorandum of Agreement (MOA) outlines how each partner agrees to support the pre-apprenticeship program and details how the trainee will be prepared to meet/exceed the minimum qualifications and compete for or receive direct entry into the registered apprenticeship program.

The *education provider* agrees to:

- carefully assess the trainee's readiness for entry into the certified pre-apprenticeship program and only approve trainees in good standing who have met pre-determined criteria
- ensure that all pre-apprentices are at least 16 years of age and monitor any work hours allowed by school policy and/or applicable Child Labor Laws
- inform potential trainees and in the case of minors, their parents, of the availability and requirements for entry into the certified pre-apprenticeship program
- register selected pre-apprentices with the Maine Department of Labor
- facilitate meaningful hands-on training in 1) a workplace, 2) simulated lab experience, and/or 3) work-based learning environment (details) _____
- provide relevant safety training such as first aid/ CPR, OSHA 10 (details) _____

The *education provider* agrees to provide the following foundational requirements:

- academic credit for on-the-job learning as appropriate (details) _____
- the following industry recognized credential(s) as applicable _____
- high school diploma or HiSet diploma
- résumé and job interview preparation
- workplace soft skills training
- other: _____

The following are optional though strongly encouraged of the *education provider*:

- student portfolio (i.e. education profile and plan),
- dual Credit options with Community College or University (please attach MOU from post-secondary provider if applicable)
- other: _____

The apprenticeship *sponsor/employer* agrees to provide at minimum 2 of the following as indicated:

- job shadow experience for pre-apprentices
- mentored and paid work experience for pre-apprentices
- guaranteed employment interview for individuals who have successfully completed the pre-apprenticeship program for either entry level job or direct entry into apprenticeship.
- advanced placement in registered apprenticeship program if hired
recognized classroom hours upon registration will be _____
recognized on the job learning hours upon registration will be _____
- other: _____

Certified Pre-Apprenticeship Memorandum of Agreement



The classroom training and on-the-job learning curriculums from both the education provider and the apprenticeship sponsor are attached to this MOA. To be a Maine State certified pre-apprenticeship program, a copy of this MOA and related documents must be submitted and approved by the Maine Apprenticeship Program. By signing this MOA, the employer/sponsor and the education provider agree to the following:

- The pre-apprenticeship program aligns with the employer/sponsor's registered apprenticeship program and both the education provider and employer/sponsor agree to uphold the terms of the MOA.
- Conform to the U.S. Department of Labor's Training and Employment Notice Number 13-12 for a quality framework for pre-apprenticeship.
- Limit the duration of the pre-apprenticeship program to not more than 6 months, except for programs in secondary educational institutions or prisons which are limited to no more than a span of 2 calendar years.
- [Name of pre-apprenticeship sponsor] agrees to maintain all records pertaining to the pre-apprenticeship program. These records will be made available on request to the Maine Apprenticeship Program.
- The Maine Apprenticeship Program shall be notified within 45-days of the registration, termination, or suspension of any pre-apprenticeship agreement, with cause for same, and of pre-apprenticeship completions.
- Any modification(s) or change(s) to the pre-apprenticeship MOA shall be promptly submitted to the Maine Apprenticeship Program, and if approved, shall be recorded, and acknowledged as a revision of such program.
- During the period of the program, the Maine Apprenticeship Program shall terminate a pre-apprenticeship agreement at the request in writing of any party thereto.
- Comply with state and federal law regarding equal employment opportunity in pre-apprenticeship and training. [Name of pre-apprenticeship sponsor and education provider] will not discriminate against pre-apprenticeship applicants or pre-apprentices based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, or because they are an individual with a disability or a person 40 years old or older. [Name of pre-apprenticeship sponsor and education provider] will take affirmative action to provide equal opportunity in pre-apprenticeship.
- Include workplace safety training such as OSHA 10 or other comparable safety training determined by industry as standard.

Certified Pre-Apprenticeship Memorandum of Agreement



The apprenticeship sponsor/employer and education provider agree to the following outreach plan to increase registered apprenticeship opportunities for underrepresented, disadvantaged, or low-skilled individuals and members of historically marginalized communities (*select all that apply*):

- Disseminate information to the following organizations: _____

- Advertise all openings for pre-apprenticeship opportunities by publishing advertisements in the following media that have wide circulation in our relevant recruitment areas:

- After every selection cycle for registering pre-apprentices, we will evaluate and document the overall effectiveness of the above-targeted outreach and recruitment activities and refine them as needed.

- Enlist registered apprentices and/or journeymen (i.e. experienced workers) to mentor pre-apprentices

- Enlist registered apprentice and/or journeymen to assist with targeted outreach and recruitment activities

- Conduct exit interviews of each pre-apprentice who leaves our pre-apprenticeship before completion to understand better why they left and to help shape retention activities

- Other (list): _____

Print Employer/Sponsor Name

Print Education Provider Name

Print Employer/Sponsor Authorized Signatory/Title

Print Education Provider Authorized Signatory/Title

Employer/Sponsor Signature Date

Education Provider Signature Date

Joan M. Dolan, Director of Apprenticeship

Date of Approval by Maine Department of Labor