

# **WEST VIRGINIA LEGISLATURE**

## **2018 REGULAR SESSION**

**Introduced**

### **House Bill 4428**

BY DELEGATES FOSTER, COWLES, UPSON,

HOUSEHOLDER, MOORE AND BUTLER

[Introduced February 5, 2018; Referred

to the Committee on Education.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,  
 2 designated §21-1E-1, §21-1E-2, §21-1E-3 and §21-1E-4; and to amend said code by  
 3 adding thereto a new article designated §30-1E-1, §30-1E-2, §30-1E-3 and §30-1E-4, all  
 4 relating to requiring the Division of Labor and occupational and licensing boards to  
 5 recognize career technical training acquired in public schools and apprenticeships  
 6 completed with employers; establishing a short title, and providing exceptions and  
 7 applicability.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 21. LABOR**

### **ARTICLE 1E. CAREER TRAINING EDUCATION AND APPRENTICESHIPS.**

#### **§21-1E-1. Declaration of purpose.**

1 The provisions of this article are intended to facilitate certification and/or licensure for  
 2 workers who acquire training via career technical education provided by West Virginia public  
 3 schools or an employer-sponsored apprenticeship program.

#### **§21-1E-2. Definitions.**

1 As used in this article and the legislative rules promulgated pursuant to this article:

2 “Apprentice” means someone working in an occupation under the supervision and control  
 3 of at least one person who holds a certificate of competency and qualification in that occupation.

4 “Apprenticeship program” means a program offered by an employer to provide supervised  
 5 on-the-job training to employees, including, but not limited to, programs approved by the West  
 6 Virginia Department of Commerce or United States Department of Labor, or otherwise permitted  
 7 under state or federal law.

8 “License” means a valid and current license issued by the Commissioner of Labor in  
 9 accordance with the provisions of this article.

10 “Career technical education” means programs of study, clusters and pathways approved

11 by the West Virginia Board of Education pursuant to §18-9A-22 of this code.

**§21-1E-3. Recognition of training and apprenticeships.**

1 Beginning January 1, 2019, applicants for certification or licensure authorized by this  
2 article shall be permitted to apply training hours earned via career technical education provided  
3 by West Virginia public schools or an employer-sponsored apprenticeship program towards the  
4 requirements for certification and/or licensure in the same occupation.

**§21-1E-4. Rule-making authority.**

1 The Commissioner of Labor shall propose rules for legislative approval, in accordance  
2 with the provisions of §29A-3-1 et seq. of this code, for the implementation and enforcement of  
3 the provisions of this article, which shall provide:

4 (1) Standards and procedures for recognizing training hours acquired career technical  
5 education provided by West Virginia public schools and applying those hours to requirements for  
6 testing and/or certification and/or licensure.

7 (2) Standards and procedures for recognizing training hours acquired through employer-  
8 sponsored apprenticeship programs applying those hours to requirements for testing and/or  
9 certification and/or licensure.

**CHAPTER 30. PROFESSIONS AND OCCUPATIONS.**

**ARTICLE 1E. CAREER TRAINING EDUCATION AND APPRENTICESHIPS.**

**§30-1E-1. Declaration of purpose.**

1 The provisions of this article are intended to facilitate certification and/or licensure for  
2 workers who acquire training via career technical education provided by West Virginia public  
3 schools or an employer-sponsored apprenticeship program.

**§30-1E-2. Definitions.**

1 As used in this article and the legislative rules promulgated pursuant to this article:

2 “Apprentice” means someone working in an occupation under the supervision and control

3 of at least one person who holds a certificate of competency and qualification in that occupation.

4 “Apprenticeship program” means a program offered by an employer to provide supervised  
5 on-the-job training to employees, including, but not limited to, programs approved by the West  
6 Virginia Department of Commerce or United States Department of Labor, or otherwise permitted  
7 under state or federal law.

8 “License” means a valid and current license issued by a regulatory board or commission  
9 in this chapter.

10 “Career technical education” means programs of study, clusters and pathways approved  
11 by the West Virginia Board of Education pursuant to §18-9A-22 of this code.

**§30-1E-3. Recognition of training and apprenticeships.**

1 Beginning January 1, 2019, applicants for certification or licensure authorized by this  
2 article shall be permitted to apply training hours earned via career technical education provided  
3 by West Virginia public schools or an employer-sponsored apprenticeship program towards the  
4 requirements for certification and/or licensure in the same occupation.

**§30-1E-4. Rule-making authority.**

1 The licensing boards and commissions shall propose rules for legislative approval, in  
2 accordance with the provisions of §29A-3-1 et seq. of this code for the implementation and  
3 enforcement of the provisions of this article, which shall provide:

4 (1) Standards and procedures for recognizing training hours acquired career technical  
5 education provided by West Virginia public schools and applying those hours to requirements for  
6 testing and/or certification and/or licensure.

7 (2) Standards and procedures for recognizing training hours acquired through employer-  
8 sponsored apprenticeship programs applying those hours to requirements for testing and/or  
9 certification and/or licensure.

NOTE: The purpose of this bill is to allow training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification and/or licensure.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.