6A-23.004 Standards of Apprenticeship.

An apprenticeship program, to be eligible for approval and registration by the Department, must conform to the following Standards of Apprenticeship:

(1) The program must have an organized, written plan of program standards embodying the terms and conditions of employment, training, and supervision of one or more apprentices in an apprenticeable occupation, and subscribed to by a sponsor who has agreed to carry out the apprentice training program.

(2) The program standards must contain provisions that address:

(a) The employment and training of the apprentice in an apprenticeable occupation.

(b) The term of apprenticeship for an individual apprentice which may be measured through the completion of either the time-based approach; the competency-based approach; or the hybrid approach.

1. The time-based approach measures skill acquisition through the apprentice’s completion of at least 2,000 hours of on-the-job training (exclusive of time spent at related technical instruction) as described in an outline within the approved Standards of Apprenticeship.

2. The competency-based approach measures the apprentice’s successful demonstration of acquired skills and knowledge, as verified by the program sponsor. Programs utilizing this approach must still require apprentices to complete an on-the-job training component (exclusive of time) and complete a related technical instruction component (exclusive of time spent on the job) as outlined within the approved Standards of Apprenticeship. The outline must contain and describe all the competencies and identify a means of testing and evaluation for such competencies.

3. The hybrid approach measures the individual apprentice’s skill acquisition through a combination of a range of specified number of hours (time-based approach) of on-the-job training and the successful demonstration of competency (competency based approach) as described in an outline within the approved Standards of Apprenticeship.

4. Program standards that utilize the competency-based or hybrid approach for progression through an apprenticeship and that choose to issue interim credentials must clearly identify the interim credentials, demonstrate how the credentials link to the components of the apprenticeable occupation, and establish the process for assessing an individual apprentice’s demonstration of competency associated with the particular interim credential. Further, interim credentials must only be issued by the program sponsor or employer for recognized components of an apprenticeable occupation, thereby linking interim credentials specifically to the knowledge, skills, and abilities associated with those components of the apprenticeable occupation.

5. The determination of the approach for the program standards is made by the program sponsor, subject to approval by the Department.

(c) An outline of the on-the-job training in which the apprentice will receive supervised work experience and training on the job, and the allocation of the approximate time to be spent in each major process.

(d) Provision for organized related technical instruction for the apprenticeable occupation. A minimum of 144 hours for each year of apprenticeship is recommended. This instruction in technical subjects may be accomplished through media such as classroom, occupational or industry courses, electronic media, or other instruction approved by the Department.

(e) Wage Provisions –

1. A progressively increasing schedule of wage rates is to be paid to the apprentice, consistent with the skill acquired, which shall be expressed in percentages of the established journeymen hourly rate. The rates represent the minimum for each incremental period of apprenticeship. The established journeymen hourly rate among all participating employers in the same apprenticeable occupation shall be stated in dollars and cents.

2. The entry apprentice wage rate shall be no less than thirty-five (35) percent of the established journeymen hourly rate. However, in no event shall the apprentice wage rate be less than the minimum wage prescribed by the Fair Labor Standards Act, collective bargaining agreements, or by Florida Statutes, whichever is higher.

3. No apprentice shall receive an hourly wage less than the percentage for the incremental period in which the apprentice is serving.

4. The established journeymen hourly wage rate shall be reviewed annually and amended when determined by program sponsor or as per the collective bargaining agreement.

5. The minimum hourly apprentice wage rate paid during the last incremental period of apprenticeship shall be not less than 75 percent of the established journeymen wage rate.

6. This subsection governing apprentice wages shall not be interpreted or construed in a manner that would cause a conflict with
applicable federal law or regulations.

(f) Periodic review and evaluation of the apprentice's progress in job performance and related technical instruction, and the maintenance of progress records.

(g) A numeric ratio of apprentices to journeymen consistent with proper supervision, training, safety, and continuity of employment and provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements. It shall be the responsibility of the apprenticeship committee or sponsor to ensure that the allowable ratio of apprentices to journeymen is consistently maintained in the program as a whole, by each participating employer, and on the job site as follows:

1. For construction-related programs and participating employers in each apprenticeable occupation, an initial ratio of one (1) apprentice to one (1) journeyman must be adhered to. Subsequent ratios are two (2) apprentices to three (3) journeymen.

2. For non-construction related programs and participating employers in each apprenticeable occupation, a variance may be requested which is subject to approval by the Department.

(h) A probationary period reasonable in relation to the full apprenticeship term, with full credit for such period toward completion of apprenticeship, which cannot exceed twenty-five (25) percent of the length of the program, or one (1) year, whichever is shorter.

(i) Safe equipment and facilities for training and supervision, and safety training for apprentices on the job and in related technical instruction.

(j) The minimum qualifications required by a sponsor for persons entering an apprenticeship program, with an eligible starting age not less than sixteen (16) years.

(k) The placement of an apprentice under an apprenticeship agreement. The agreement shall directly, or by reference, incorporate the standards of the program as part of the agreement.

(l) The granting of advanced standing or credit for demonstrated competency, acquired experience, training, or skills for all applicants equally, with commensurate wages for any progression step.

(m) The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on agreement between the apprentice and the affected apprenticeship committees or program sponsors and must comply with the following requirements:

1. The transferring apprentice must be provided a transcript of related technical instruction and on-the-job training by the committee or program sponsor;

2. Transfer must be to the same occupation;

3. A new apprenticeship agreement must be executed when the transfer occurs; and,

4. The apprentice must receive full credit from the new participating employer or sponsor for satisfactorily completed time and training earned.

(n) Assurance of qualified training personnel and adequate supervision on the job. Every apprenticeship instructor must:

1. Meet the Department's requirements for a career-technical instructor per section 1012.55, F.S., or be a subject matter expert, which is an individual who is recognized within an industry as having expertise in a specific occupation, as demonstrated by being a journeyman, or by holding the licensure or certification required in the given occupation; and

2. Have training in teaching techniques and adult learning styles, which must occur before the apprenticeship instructor has started to provide the related technical instruction.

(o) Recognition of successful completion of apprenticeship evidenced by a certificate issued by the Department.

(p) Identification of the Department as Registration Agency.

(q) Provision for the registration, cancellation, and deregistration of the program and for the prompt submission of any program standard modification or amendment to the Department for approval.

(r) Provision for registration of apprenticeship agreements, modifications, and amendments; notice to the Department of persons who have successfully completed apprenticeship programs; and notice of transfers, cancellations, suspensions of apprenticeship agreements and a statement of the reasons.

(s) Authority for the cancellation of an apprenticeship agreement during the probationary period by either party without stated cause. Cancellation during the probationary period will not have an adverse impact on the sponsor's completion rate.

(t) Provision for not less than five (5) business days' notice to an apprentice and the participating employer of any proposed adverse action and cause with stated opportunity for corrective action, unless other acceptable procedures are provided for in the collective bargaining agreement.
(u) Contact information such as name, address, telephone number, and email address of the individual with authority under the program to receive, process and make disposition of complaints.

(v) Recording and maintenance of all records concerning apprenticeship as may be required by state or federal law. Records must be maintained for not less than five (5) years from the date of departure from or completion of the program.

(w) Provision for a participating employer’s agreement:

1. Each participating employer shall sign a participating employer’s agreement with the program sponsor accepting the funding formula and all other requirements of the program standards, unless otherwise provided for in a collective bargaining agreement; and

2. The program sponsor shall notify the Department of any change in the status of each participating employer within the program. Where the program sponsor uses a participating employers’ agreement, a copy of the agreement and the cancellation thereof, shall be furnished to the Department which will satisfy the requirements of this subsection;

(x) A funding formula providing for the equitable participation of each participating employer in funding of the program.


Rulemaking Authority 446.032, 446.041(13) FS. Law Implemented 446.041, 446.075 FS. History-New 6-9-81, Amended 7-10-83, Formerly 38C-16.04, Amended 3-29-90, Formerly 38C-16.004, 38H-16.004, Amended 3-29-11, 6-25-19.