

ASSEMBLY BILL

No. 1346

Introduced by Assembly Member Atkins

February 18, 2011

An act to amend Section 3099 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1346, as introduced, Atkins. Division of Apprenticeship Standards: certification of electricians.

Existing law requires the Division of Apprenticeship Standards in the Department of Industrial Relations to establish standards for certification of electricians, as defined, and requires the division to establish an advisory committee and panels as necessary. Existing law also requires the division to establish an electrical certification curriculum committee. The committee must establish standards for enrollees of specified training programs. If an educational provider's curriculum meets those standards, the committee must designate that curriculum as approved. The approved curriculum is subject to the committee's review, and the committee may withdraw its approval if the educational provider does not continue to meet those standards. The committee must require a designated provider to submit an annual notice stating whether the provider continues to offer the approved curriculum and whether material changes have been made to the curriculum since its approval.

Existing law forbids discrimination for or against any person based on membership or nonmembership in a union.

This bill would make nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3099 of the Labor Code is amended to
 2 read:
- 3 3099. (a) The Division of Apprenticeship Standards shall do
 4 all of the following:
- 5 (1) On or before July 1, 2001, establish and validate minimum
 6 standards for the competency and training of electricians through
 7 a system of testing and certification.
- 8 (2) On or before March 1, 2000, establish an advisory committee
 9 and panels as necessary to carry out the functions under this
 10 section. There shall be contractor representation from both joint
 11 apprenticeship programs and unilateral nonunion programs in the
 12 electrical contracting industry.
- 13 (3) On or before July 1, 2001, establish fees necessary to
 14 implement this section.
- 15 (4) On or before July 1, 2001, establish and adopt regulations
 16 to enforce this section.
- 17 (5) Issue certification cards to electricians who have been
 18 certified pursuant to this section. Fees collected pursuant to
 19 paragraph (3) are continuously appropriated in an amount sufficient
 20 to pay the costs of issuing certification cards, and that amount may
 21 be expended for that purpose by the division.
- 22 (6) On or before July 1, 2003, establish an electrical certification
 23 curriculum committee comprised of representatives of the State
 24 Department of Education, the California Community Colleges,
 25 and the division. *The following shall apply to the electrical*
 26 *certification curriculum committee shall do all of the following:*
- 27 (A) ~~Establish~~ *The committee shall establish* written educational
 28 curriculum standards for enrollees in training programs established
 29 pursuant to Section 3099.4.
- 30 (B) If an educational provider's curriculum meets the written
 31 educational curriculum standards established in accordance with
 32 subparagraph (A), *the committee shall* designate that curriculum
 33 as an approved curriculum of classroom instruction.
- 34 (C) ~~At the committee's discretion,~~ *The committee may* review
 35 the approved curriculum of classroom instruction of any designated

1 educational provider. The committee may withdraw its approval
2 of the curriculum if the educational provider does not continue to
3 meet the established written educational curriculum standards.

4 (D) ~~Require~~—*The committee shall require* each designated
5 educational provider to submit an annual notice to the committee
6 stating whether the educational provider is continuing to offer the
7 approved curriculum of classroom instruction and whether any
8 material changes have been made to the curriculum since its
9 approval.

10 (b) There shall be no discrimination for or against any person
11 based on membership or nonmembership in a union.

12 (c) As used in this section, “electricians” includes all persons
13 who engage in the connection of electrical devices for electrical
14 contractors licensed pursuant to Section 7058 of the Business and
15 Professions Code, specifically, contractors classified as electrical
16 contractors in the Contractors’ State License Board Rules and
17 Regulations. This section does not apply to electrical connections
18 under 100 volt-amperes. This section does not apply to persons
19 performing work to which Section 7042.5 of the Business and
20 Professions Code is applicable, or to electrical work ordinarily and
21 customarily performed by stationary engineers. This section does
22 not apply to electrical work in connection with the installation,
23 operation, or maintenance of temporary or portable electrical
24 equipment performed by technicians in the theatrical, motion
25 picture production, television, hotel, exhibition, or trade show
26 industries.

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