

CHAPTER 43

APPRENTICESHIP IN ENERGY FACILITY CONSTRUCTION

§3501. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2019, c. 347, §1 (NEW).]

1. Apprentice. "Apprentice" has the same meaning as in section 3201, subsection 1 or means a person who is in an apprenticeship program registered with the United States Department of Labor. [PL 2019, c. 347, §1 (NEW).]

2. Construction employer. "Construction employer" means a person constructing a generation facility in this State who hires any person to construct that generation facility. [PL 2019, c. 347, §1 (NEW).]

3. Department. "Department" means the Department of Labor. [PL 2019, c. 347, §1 (NEW).]

4. Generation facility. "Generation facility" means a facility for the generation of electricity that has an installed capacity of 2 megawatts or more, other than a facility located on the customer side of an electric meter. [PL 2019, c. 347, §1 (NEW).]

REVISOR'S NOTE: §3501. Project labor agreements for public works projects as enacted by PL 2019, c. 278, §2 is REALLOCATED TO TITLE 26, SECTION 3601

SECTION HISTORY

PL 2019, c. 347, §1 (NEW).

§3502. Requirements

A construction employer constructing a generation facility shall employ apprentices in accordance with this section. [PL 2019, c. 347, §1 (NEW).]

1. Percentages. A construction employer shall, to the extent qualified apprentices are determined to be available in accordance with rules adopted by the department, employ a number of apprentices that equals at least:

A. If construction of the generation facility begins on or after January 1, 2021 and before January 1, 2025, 10% of all persons employed in the construction; [PL 2019, c. 347, §1 (NEW).]

B. If construction of the generation facility begins on or after January 1, 2025 and before January 1, 2027, 17.5% of all persons employed in the construction; and [PL 2019, c. 347, §1 (NEW).]

C. If construction of the generation facility begins on or after January 1, 2027, 25% of all persons employed in the construction. [PL 2019, c. 347, §1 (NEW).]

[PL 2019, c. 347, §1 (NEW).]

2. Rules. The department shall adopt rules to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2019, c. 347, §1 (NEW).]

3. Penalties. The following provisions apply to a violation of this section.

A. A construction employer who violates this section commits a civil violation for which a fine of not less than \$50 nor more than \$200 may be adjudged. [PL 2019, c. 347, §1 (NEW).]

B. A construction employer who discharges or in any other manner discriminates against an employee because the employee makes a complaint to the department or to the district attorney concerning a violation of this section commits a civil violation for which a fine of not less than \$50 nor more than \$200 may be adjudged. [PL 2019, c. 347, §1 (NEW).]

C. In the event a construction employer is adjudged to have violated this section, the Attorney General may institute injunction proceedings in the Superior Court to enjoin any further violations. [PL 2019, c. 347, §1 (NEW).]

[PL 2019, c. 347, §1 (NEW).]

SECTION HISTORY

PL 2019, c. 347, §1 (NEW).

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