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## **WORKFORCE COMMITTEE**

Thursday, February 22, 2024  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Representative Shannon Roers Jones, Chairman, called the meeting to order at 9:00 a.m.

**Members present:** Representatives Shannon Roers Jones, Dick Anderson, Landon Bahl, Josh Christy\*, Hamida Dakane, Jay Fisher, Mike Motschenbacher, Scott Wagner, Jonathan Warrey; Senators Jeff Barta, Ryan Braunberger, Randy A. Burckhard\*, Michael A. Wobbema

**Members absent:** None

**Others present:** Senator Brad Bekkedahl, Williston, member of the Legislative Management

Kaitlyn Bison\*, Council of State Governments; Jennifer Boeckel, Board of Social Work Examiners; Lisa Feldner, Olson Effertz Lobbying and Consulting, LLC; Nathan Svihovec, Department of Labor and Human Rights; Barry Dutton, United States Department of Labor; Gina Robison\*, Idaho Department of Labor; Lindsey Mitchell\*, Montana Department of Labor and Industry; Mario Kratsch\*, German American Chamber of Commerce of the Midwest, Inc.; Michael L. Walz, Bismarck; and Tom Schimelfenig, Bowdon

See [Appendix A](#) for additional persons present.

*\*Attended remotely*

**It was moved by Representative Motschenbacher, seconded by Representative Fisher, and carried on a voice vote that the minutes of the November 30 - December 1, 2023, meeting be approved as distributed.**

### **SOCIAL WORK LICENSURE COMPACT STUDY**

Ms. Kaitlyn Bison, Policy Analyst, Center of Innovation, Council of State Governments, provided testimony ([Appendix B](#)) regarding the function of the social work licensure compact in North Dakota and other states. She noted:

- The compact commission is comprised of delegates from all member states.
- The rules adopted by the compact commission only apply to licenses offered under the compact.
- If a social worker obtains a home state license under the compact, the social worker may practice in all other states joined in the compact.
- If states join the compact, the testing requirement only applies to multi-state licenses, not single-state licenses not covered by the compact.

Dr. Jennifer Boeckel, Chair, Board of Social Work Examiners, provided testimony ([Appendix C](#)) regarding the committee's study of the feasibility and desirability of the Legislative Assembly enacting the social work licensure compact. She noted:

- The Council of State Governments has not clearly communicated to the board the time commitment and anticipated costs associated with compact membership.
- If North Dakota adopts the compact, additional funds and staff may be needed to fully administer the requirements and telehealth services likely will increase, which might negatively impact patient care.
- The state faces a significant shortage of social workers and mental health practitioners, especially those seeking legal residency in the state.

- The board meets monthly to review, reject, and accept reciprocity and local licensure applications and generally takes 30 days to make a final determination on a reciprocity or local licensure application.
- The board is not necessarily against joining the compact. However, the board may opt to first observe how other states navigate implementation of the compact.
- Some studies have shown the required examination under the compact is biased and does not accurately measure competency as a social worker.
- The board will continue its recruitment and outreach efforts in an attempt to eliminate the social work shortage.

Ms. Lisa Feldner, Principal Public Affairs Consultant, Olson Effertz Lobbying and Consulting, LLC, provided testimony regarding the committee's study of the feasibility and desirability of the Legislative Assembly enacting the social work licensure compact. She noted:

- The board processed 116 reciprocity applications between January 1, 2023, and February 22, 2024.
- Applicants seeking a reciprocity license must pay a \$150 fee per application.
- If North Dakota joins the compact, the board anticipates a \$17,000 yearly reduction in revenue due to the elimination of the reciprocity licensure fee.
- As of February 22, 2024, 79 individuals living in Minnesota practice social work in North Dakota.
- The compact does not allow entry-level social workers to participate in telehealth and there is a significant shortage of entry-level licensures in the state.

### **WORKFORCE TRAINING CENTER FUNDING DISTRIBUTION MODEL STUDY**

Dr. Doug Darling, President, Lake Region State College, provided testimony ([Appendix D](#)) regarding the committee's study of the workforce training center funding distribution model. He noted:

- The workforce training center funding formula is reviewed internally every 2 years and is not codified, giving TrainND flexibility to make changes quickly.
- Using a 4-year window to calculate funding allocations will account for market fluctuations.
- Historically, the four TrainND regions have collaborated to create the funding formula.
- The current proposal, which would become effective July 1, 2025, was approved by all four TrainND regions.

Mr. Dustin A. Richard, Counsel, Legislative Council, presented a bill draft [[25.0066.01000](#)] relating to the workforce training center funding distribution model.

### **REPORTS**

Mr. Nathan Svihovec, Commissioner, Department of Labor and Human Rights, provided a report ([Appendix E](#)) on the status of the commissioner's review and meetings with each occupational board under North Dakota Century Code Title 43, the Education Standards and Practices Board, and the State Board of Law Examiners to establish a strategy to expedite licensure of out-of-state practitioners and revise continuing education requirements. He noted he plans to provide information to the committee on how other states approach licensure and whether those approaches could be adopted in North Dakota at a future committee meeting.

### **STATE OFFICE OF APPRENTICESHIP STUDY**

Mr. Barry Dutton, North Dakota State Director, Office of Apprenticeship, United States Department of Labor, provided testimony regarding the apprenticeship program and the committee's study of the feasibility and desirability of creating a state office of apprenticeship. He noted:

- The Office of Apprenticeship (OA) administers apprenticeships in the United States.
- States may administer apprenticeship either through the federal OA or a State Apprenticeship Agency (SAA).
- The OA develops, registers, and reviews registered apprenticeship programs to ensure compliance with federal law and regulations.
- If a state creates an SAA, the United States Department of Labor must first authorize the SAA to register apprenticeship programs.

- An advantage of creating an SAA is internalized operations, a disadvantage is increased employee turnover.
- North Dakota uses the federal OA to administer apprenticeships in the state. The federal OA works with several state agencies, including the Department of Labor and Human Rights, the Department of Commerce, the Department of Career and Technical Education, and Job Service North Dakota to create registered programs.
- The OA in North Dakota is attempting to work with the Department of Public Instruction and Healthcare Partners Staffing Inc., to increase apprenticeship opportunities in public education and medicine.
- If registered with the federal OA, companies operating in multiple states only are required to register one apprenticeship program.
- The creation of an SAA will not provide a state with more flexibility over youth workers because states must follow federal child labor laws.
- Hiring additional employees to assist the federal OA is a more effective use of public funds than creating a new SAA in North Dakota.
- As of February 22, 2024, the state has 101 registered apprenticeship programs and 1,346 apprentices.

Ms. Gina Robison, Program Supervisor, Apprenticeship Idaho, Idaho Department of Labor, provided testimony ([Appendix F](#)) regarding the apprenticeship program in Idaho and the committee's study of the feasibility and desirability of creating a state office of apprenticeship. She noted:

- Idaho administers apprenticeship through the federal OA, rather than an SAA.
- The Idaho Department of Labor creates apprenticeship standards and forwards the standards to the federal OA for review.
- After review, the federal OA returns the standards to Idaho's SAA for further amendment or implementation.
- The Idaho Department of Labor employs nine state employees to assist the federal OA in administering apprenticeships in Idaho.
- The United States Department of Labor dictates all standards relating to registered apprenticeship programs.

Ms. Lindsey Mitchell, Program Lead, Montana Registered Apprenticeship, Montana Department of Labor and Industry, provided testimony ([Appendix G](#)) regarding the apprenticeship program in Montana and the committee's study of the feasibility and desirability of creating a state office of apprenticeship. She noted:

- The SAA in Montana conducts outreach in communities, schools, and businesses to provide guidance and raise awareness about apprenticeship opportunities.
- The proposed federal rules governing apprenticeship will make it difficult for small businesses to administer the program.
- 85 percent of registered apprenticeship program participants in Montana employ fewer than five individuals.

Mr. Mario Kratsch, Vice President, German American Chamber of Commerce of the Midwest, Inc., provided testimony ([Appendix H](#)) relating to the Industry Consortium for Advanced Technical Training program and the committee's study of the feasibility and desirability of creating a state office of apprenticeship. He noted:

- The Industry Consortium for Advanced Technical Training (ICATT) was formed in 2014 and operates as a chamber of commerce under federal tax law.
- ICATT was created because the United States Department of Labor was not providing clear occupational profiles and minimum standards for trainers.
- The initial cost to create an apprenticeship program is \$5,000.
- 12 months of preparatory work and program building is required under the ICATT program before an employer is allowed to hire the first apprentice.
- Employers pay a fee to ICATT for every apprentice hired under a program developed by ICATT.
- ICATT will consider conducting business in a new state if even one company in that state shows an interest in the ICATT apprenticeship model.

**PUBLIC COMMENT**

Mr. Michael L. Walz, Bismarck, provided testimony ([Appendix I](#)) relating to the committee's study of the feasibility and desirability of creating a state office of apprenticeship.

In response to Ms. Mitchell's presentation on the registered apprenticeship program for Montana, Mr. Dutton noted:

- All federal OA programs must meet the minimum standards under Title 29, Code of Federal Regulations, Part 29.
- The new proposed federal rule intends to ensure all SAAs comply with federal laws and regulations associated with the national apprenticeship program.

Mr. Tom Schimelfenig, Bowdon, asked the committee for information on who sets the standards for the required number of apprenticeship hours for licenses governed by the State Plumbing Board.

Committee members informed Mr. Schimelfenig the State Plumbing Board sets the standards by adopting administrative rules.

No further business appearing, Chairman Roers Jones adjourned the meeting at 2:32 p.m.

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Dustin A. Richard  
Counsel

ATTACH:9