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State Office of Apprenticeships

Workforce Committee

Rep. Shannon Roers Jones, Chairman
Sen. Jeff Barta, Vice Chairman
Sen. Michael A. Wobbema, Vice Chairman

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I. Introductory Summary

Chairman Roers Jones, Vice Chairmen Barta and Wobbema, and Workforce Committee members, I submit this testimony in support of a State Office of Apprenticeship.

II. Labor Department Overview

The Department has statutory duties to “advance [employees’] opportunities for profitable employment” and “[f]oster, promote, and develop the welfare of both wage earners and industries in North Dakota.” N.D.C.C. § 34-05-01.3(1-2). Additionally, the Department must “[r]epresent the state of North Dakota in dealings with the United State Department of Labor[.]” N.D.C.C. § 34-05-01.3(5).

It is well-known the North Dakota Department of Labor and Human Rights investigates and educates the public regarding employment, housing, wages and hours, public services, public accommodations, and credit transactions.

The Department, however, also performs many functions that correlate with what a State Office of Apprenticeship would do. For example, the Department issues Certificates of Employment for minors ages 14-15 years old. These Youth Employment Certificates require the child’s parent or guardian, school, and employer to sign off on the child’s employment. This is very similar to the process required for Pre-Apprenticeships and Registered Apprenticeship Programs.

The Department handles sub-minimum wage licensing. This licensing process permits businesses to hire individuals whose productive capacities are impaired due to physical or mental limitations at less than minimum wage.

The Department also conduct independent contractor verifications. To accomplish this, we provide a form where the individual and entity can respond and our Compliance Investigators will analyze the relationship and issue a determination as to an employee's independent contractor status as well as, if determined, an independent contractor license.

Several other laws regarding workforce fall under the Department's purview. These include state minimum wage rate, wages to surviving spouses, labor union organization and limitations, right-to-work protections, volunteer statuses, employer indemnification, employee liability, employee preference to employer's business, employee reference immunity, and retaliation. In other words, the Department has many existing duties that correlate with the requirements of establishing and performing the role of a State Office of Apprenticeship.

III. State Office of Apprenticeships

Currently, the Registered Apprenticeship Program in North Dakota is administered by the U.S. Department of Labor. One person – who is certainly an expert in this area – is employed to handle all Registered Apprenticeships in the state. It is my understanding the USDOL is short nationwide on individuals to administer apprenticeship programs.

Aside from the USDOL's work in registered apprenticeships, North Dakota has received several hundred thousand dollars in grant money. One of the programs utilizing that funding is Lake Region Community College. Their program was started approximately six years ago and their program areas include simulation tech, nursing, computer science, and cyber security that are aligned with their two-year programs. The bulk of their apprenticeships are in nursing. It is my understanding Bismarck State College is also working on getting an apprenticeship program started.

There is huge demand for more apprenticeable occupations related to the trades. For example, DOT needs heavy equipment operators and the state needs more carpenters, plumbers, electricians, and HVAC technicians.

With that background in mind, the Director of Career and Technical Education, the President of the North Dakota Building Trades Union, and to my knowledge, Director of Workforce Development have all discussed this topic and support housing three to four employees in the North Dakota Department of Labor and Human Rights to build out a statewide State Office of Apprenticeship. The Department would grow the apprenticeable occupations while allowing existing pathways to apprenticeships to remain in place. The benefit to the State would be a centralized location for Registered Apprenticeships in order to reach all corners of the State while also allowing the Legislature to control the costs of such an office.

IV. Conclusion

Thank you for your service to North Dakota and I look forward to addressing any questions you may have.