**§3204. Apprenticeship program performance standards**

**1. Minimum number of apprentices.**  A registered apprenticeship program must have at least one registered apprentice, except for the following specified periods of time if the periods do not exceed one year:

A. Between the date when the apprenticeship program is registered and the date of registration for its first apprentice; and [PL 2011, c. 491, §13 (NEW).]

B. Between the date that the apprenticeship program graduates an apprentice and the date of registration for the next apprentice in the program. [PL 2011, c. 491, §13 (NEW).]

[PL 2011, c. 491, §13 (NEW).]

**2. Evaluation.**  The Maine Apprenticeship Program shall evaluate the performance of a registered apprenticeship program. The tools and factors to be used must include, but are not limited to:

A. Quality assurance assessments; [PL 2011, c. 491, §13 (NEW).]

B. Equal employment opportunity compliance reviews; [PL 2023, c. 318, §7 (AMD).]

C. Completion rates. The cancellation of an apprenticeship agreement during the probationary period under section 3205, subsection 8 does not have an adverse impact on an apprenticeship program's completion rate; and [PL 2023, c. 318, §7 (AMD).]

D. The total package value of a registered apprenticeship program. [PL 2023, c. 318, §7 (NEW).]

[PL 2023, c. 318, §7 (AMD).]

**3. Transfers.**  A transfer of an apprentice between apprenticeship programs or within an apprenticeship program must be based on agreement between the apprentice and the affected sponsors and:

A. The sponsor must provide the transferring apprentice with a transcript of related instruction and on-the-job learning; [PL 2011, c. 491, §13 (NEW).]

B. The transfer may be only to an apprenticeship program for the same occupation as the one from which the apprentice is being transferred; and [PL 2011, c. 491, §13 (NEW).]

C. If the transfer occurs between sponsors, a new apprenticeship agreement must be executed. [PL 2011, c. 491, §13 (NEW).]

[PL 2011, c. 491, §13 (NEW).]

**4. Notice.**  A sponsor shall notify the Maine Apprenticeship Program of a person who has completed an apprenticeship program, of a transfer under subsection 3 or of a suspension or cancellation of an apprenticeship agreement under section 3205 within 45 days of the completion, transfer, suspension or cancellation. Notice of a transfer, suspension or cancellation must include the reasons for the transfer, suspension or cancellation.

[PL 2011, c. 491, §13 (NEW).]

**5. Registered apprenticeship programs not in compliance.**  The department shall identify and act to remedy registered apprenticeship programs that are:

A. Not in compliance with quality assurance assessments; [PL 2023, c. 318, §8 (NEW).]

B. Experiencing low rates of retention or completion; or [PL 2023, c. 318, §8 (NEW).]

C. Not providing an adequate total package value to apprentices completing an apprenticeship program as determined by the department. [PL 2023, c. 318, §8 (NEW).]

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

[PL 2023, c. 318, §8 (NEW).]

**6. Department to perform assessment annually.**  Beginning January 1, 2024, the department shall annually perform an assessment on the Maine Apprenticeship Program. The assessment must include, but is not limited to, the following:

A. A summary of performance data collected from program sponsors; [PL 2023, c. 318, §9 (NEW).]

B. Best practices being used and areas for improvement, as determined by the department; and [PL 2023, c. 318, §9 (NEW).]

C. Steps taken by the department to ensure continuous improvement on key performance metrics. [PL 2023, c. 318, §9 (NEW).]

[PL 2023, c. 318, §9 (NEW).]

SECTION HISTORY

PL 2011, c. 491, §13 (NEW). PL 2023, c. 318, §§7-9 (AMD).

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