

Senate Amendment 5553

Amendment Text

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1 1 Amend [Senate File 2414](#) as follows:
1 2 #1. Page 1, line 15, by inserting after the word
1 3 "jobs." the following: "A second facet of the
1 4 workforce recruitment initiative shall include the
1 5 creation of a certified school to career program
1 6 within the department of workforce development
1 7 designed to enable individuals to learn new skills
1 8 through employment, job training, and classroom
1 9 instruction by being employed during the summer months
1 10 after their junior and senior years in high school and
1 11 after their first year of postsecondary education.
1 12 The program shall provide for refunds for certain
1 13 wages paid to and amounts held in trust for
1 14 individuals in the program and requirements that
1 15 certain wages and benefits be provided.
1 16 Sec. 101. NEW SECTION. 15.361 TITLE.
1 17 This part shall be known and may be cited as the
1 18 "Certified School to Career Program".
1 19 Sec. 102. NEW SECTION. 15.362 DEFINITIONS.
1 20 As used in this part, unless the context otherwise
1 21 requires:
1 22 1. "Certified school to career program" or
1 23 "certified program" means a secondary and
1 24 postsecondary program registered as an apprenticeship
1 25 program under 29 C.F.R. subtit. A, pt. 29, which is
1 26 conducted pursuant to an agreement as provided in
1 27 section 15.364 or a program certified by the state
1 28 board of education, in conjunction with the department
1 29 of workforce development, as meeting the standards
1 30 enumerated in section 15.363, that integrates a
1 31 secondary school curriculum with private sector job
1 32 training which places students in job internships, and
1 33 which is designed to continue into postsecondary
1 34 education and that will result in teaching new skills
1 35 and adding value to the wage-earning potential of
1 36 participants and increase their long-term
1 37 employability in the state and which is conducted
1 38 pursuant to an agreement as provided in section
1 39 15.364.
1 40 2. "Payroll expenditures" means the base wages
1 41 actually paid by an employer to a participant plus the
1 42 amount held in trust to be applied toward the
1 43 participant's postsecondary education.
1 44 3. "Participant" means an individual between the
1 45 ages of sixteen and twenty-four who is enrolled in a
1 46 public or private secondary or postsecondary school
1 47 and who initiated participation in a certified school
1 48 to career program as part of secondary school
1 49 education.
1 50 4. "Sponsor" means any person, association,
2 1 committee, or organization operating a school to
2 2 career program and in whose name the program is or
2 3 will be registered or certified.
2 4 Sec. 103. NEW SECTION. 15.363 CERTIFICATION
2 5 STANDARDS.
2 6 A school to career program which is certified by
2 7 the state board of education in conjunction with the

2 8 department of workforce development shall comply with
2 9 all of the following standards:

2 10 1. The program is conducted pursuant to an
2 11 organized, written plan embodying the terms and
2 12 conditions of employment, job training, classroom
2 13 instruction, and supervision of one or more
2 14 participants, subscribed to by a sponsor who has
2 15 undertaken to carry out the school to career program.

2 16 2. The program complies with all state and federal
2 17 laws pertaining to the workplace.

2 18 3. The employer agrees to assign an employee to
2 19 serve as a mentor for the participant.

2 20 Sec. 104. NEW SECTION. 15.364 CERTIFIED PROGRAM
2 21 AGREEMENT.

2 22 The certified program shall be conducted pursuant
2 23 to a signed written agreement between each participant
2 24 and the employer and contains at least the following
2 25 provisions:

2 26 1. The names and signatures of the participant and
2 27 the sponsor or employer and the signature of a parent
2 28 or guardian if the participant is a minor.

2 29 2. A description of the career field in which the
2 30 participant is to be trained, and the beginning date
2 31 and duration of the training.

2 32 3. The employer's agreement to provide paid
2 33 employment, at a base wage, for the participant during
2 34 the summer months after the participant's junior and
2 35 senior years in high school and after the
2 36 participant's first year of postsecondary education.

2 37 4. This base wage paid to the participant shall
2 38 not be less than the minimum wage prescribed by Iowa
2 39 law or the federal Fair Labor Standards Act, whichever
2 40 is applicable.

2 41 5. That in addition to the base wage paid to the
2 42 participant, the employer shall pay an additional sum
2 43 to be held in trust to be applied toward the
2 44 participant's postsecondary education required for
2 45 completion of the certified program. The additional
2 46 amount must be not less than an amount determined by
2 47 the department of workforce development to be
2 48 sufficient to provide payment of tuition expenses
2 49 toward completion of not more than two academic years
2 50 of the required postsecondary education component of
3 1 the certified program at an Iowa community college or
3 2 a public or private college or university. This
3 3 amount shall be held in trust for the benefit of the
3 4 participant pursuant to rules promulgated by the
3 5 department of workforce development. Payment into an
3 6 ERISA-approved fund for the benefit of the participant
3 7 shall satisfy this requirement. The specific fund
3 8 shall be specified in the agreement.

3 9 6. The participant's agreement to work for the
3 10 employer for at least two years following the
3 11 completion of the participant's postsecondary
3 12 education required by the certified program and the
3 13 employer's agreement to both of the following:

3 14 a. To provide and pay at least eighty percent of
3 15 the cost of a standard medical and dental insurance
3 16 plan for the participant.

3 17 b. To pay a full-time hourly wage to the
3 18 participant of at least eleven dollars per hour
3 19 indexed to 1998 dollars based on the gross national
3 20 product implicit price deflator published by the
3 21 bureau of economic analysis of the United States
3 22 department of commerce or one hundred thirty percent
3 23 of the average wage in the county in which the
3 24 facility where the participant will be employed is

3 25 located, whichever is higher.

3 26 However, the agreement may provide for additional
3 27 education and work commitments beyond the two years.

3 28 7. If the participant does not complete the two-
3 29 year employment obligation, the participant's
3 30 agreement to repay to the employer the amount paid by
3 31 the employer toward the participant's postsecondary
3 32 education expenses pursuant to subsection 5.

3 33 8. That if a participant does not complete the
3 34 certified program contemplated by the agreement, any
3 35 unexpended funds being held in trust for the
3 36 participant's postsecondary education shall be paid
3 37 back to the employer. In addition the participant
3 38 must repay to the employer amounts paid from the trust
3 39 which were expended on the participant's behalf for
3 40 postsecondary education.

3 41 Sec. 105. NEW SECTION. 15.365 PAYROLL
3 42 EXPENDITURE REFUND.

3 43 1. An employer who employs a participant in a
3 44 certified school to career program may claim a refund
3 45 of twenty percent of the employer's payroll
3 46 expenditures for each participant in the certified
3 47 program. The refund is limited to the first four
3 48 hundred hours of payroll expenditures per participant
3 49 for each calendar year, not to exceed three years per
3 50 participant, the participant is in the certified
4 1 program.

4 2 2. To receive a refund under subsection 1 for a
4 3 calendar year, the employer shall file the claim by
4 4 July 1 of the following calendar year. The claim
4 5 shall be filed on forms provided by the department of
4 6 workforce development and the employer shall provide
4 7 such information regarding the employer's
4 8 participation in a certified school to career program
4 9 as the department may require. Forms should be
4 10 designed such that claims for refunds for more than
4 11 one participant may be made on a single form. A valid
4 12 claim shall be paid with interest, the interest to
4 13 begin to accrue on the first day of the second
4 14 calendar month following the date the claim for refund
4 15 was to be filed or was filed, whichever is the latest,
4 16 at the rate in effect under section 421.7 counting
4 17 each fraction of a month as an entire month under
4 18 rules prescribed by the department.

4 19 3. For the fiscal year beginning July 1, 2000, and
4 20 for each subsequent fiscal year, there is appropriated
4 21 annually from the general fund of the state to the
4 22 department of workforce development an amount
4 23 sufficient to pay refunds as received under this
4 24 section.

4 25 4. The department of workforce development shall
4 26 consult with the department of revenue and finance for
4 27 purposes of this section. The department of workforce
4 28 development shall adopt rules as deemed necessary to
4 29 carry out the purposes of the certified school to
4 30 career program."

4 31 #2. Page 3, line 11, by inserting after the word
4 32 "DATE" the following: "AND APPLICABILITY".

4 33 #3. Page 3, line 12, by inserting after the word
4 34 "enactment" the following: ", and sections 101
4 35 through 105 of this Act apply retroactively to all
4 36 calendar years ending after the date of enactment".

4 37 #4. By renumbering and correcting internal
4 38 references as necessary.

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