

英美職業訓練法簡介

英國

英國職業訓練的起源甚早，遠在中古時期，各種工商行會 (Guild)就已開始推動實施學徒訓練制度，其後雖然迭受時代演進，社會變遷、經濟轉型等的長期影響，但是此種制度一直屹立存在，並且不斷隨著調整改進，其演進的過程，大抵可以分為三個階段。第一階段，中古時期至1964年，此一階段的職業訓練不受政府法規約束，而由各工商行會及企業單位自行辦理。第二階段，自1964年至1983年，英國政府於1964年3月頒行「工業訓練法」(Industrial Training Act), 並著手規劃建立全國性的工業訓練體制。依照該法所賦予的權責，「勞工部」開始督導各行業設立「工業訓練理事會」(Industrial Training Board), 並將職業訓練工作的辦理主體，由工商行會及企業單位轉移至工業訓練理事會，舉凡訓練合約的訂定、訓練課程的提供、訓練經費的補助、結訓證書的頒發等，均責由該理事會做妥善的安排。1973年英國政府重新頒訂「就業與訓練法」(Employment and training act), 將職業訓練的中央主管機關，由原來的勞工部改為「就業部」，以加強職業訓練與就業服務的相互配合；又在1974年於就業部下設立「人力服務委員會」，(Manpower Services Commission), 以研究、制訂並推動全國的人力發展政策及職業訓練措施；同時由政府編列經費預算，來補助各行業的工業訓練理事會，以加強輔助企業單位辦理訓練。第三階段，自1983年迄今，英國政府於1983年宣布解散大部分的工業訓練理事會，而將企業訓練工作轉由企業界自行規劃辦理，政府不再加以干預。

其相關法律包括：

- 1.1964年 Industrial Training Act
- 2.1973年 Industrial Training Act
- 3.1973年 Employment and Training Act
- 4.1980年 Employment Act
- 5.1981年 Employment and Training Act
- 6.1982年 Industrial Training Act
- 7.1982年 Employment Act
- 8.1985年 Industrial Training Act
- 9.1986年 Industrial Training Act
- 10.1988年 Employment Act
- 11.1989年 Employment Act
- 12.1990年 Employment Act

1973年就業及訓練法 (條文要旨)

EMPLOYMENT AND TRAINING ACT 1973
(1973 c 50)

ARRANGEMENT OF SECTIONS

The Training Commission and the Employment Service and Training Services Agencies

Section

- 2 Functions of the Secretary of State
- 4 Obtaining and disclosure of information by the Commission and Agencies etc

Additional powers of Secretary of State

- 5 Additional powers of Secretary of State

Careers services

- 8 Duty of Secretary of State to ensure provision of careers service for school and college students
- 9 Power of Secretary of State to arrange for provision of careers services for others
- 10 Provision of services
- 10A Provision of ancillary goods and services

Supplemental

- 11 Financial provisions
- 12 Ancillary and transitional provisions
- 13 Interpretation etc
- 14 Minor and consequential amendments of enactments, and repeals
- 15 Short title, commencement and extent

SCHEDULES:

Schedule 4 – – Repeals

1981年就業及訓練法修正案

EMPLOYMENT AND TRAINING ACT 1981

1 – 7 (*Repealed by the Industrial Training Act 1982, s 20(3), Sch 4.*)

Miscellaneous provisions

8 (*Repealed by the Industrial Training Act 1982, s 20(3), Sch 4.*)

9 Abolition of Employment Service Agency and Training Services Agency

10 Retention of receipts by certain bodies

Supplementary

11 Short title, repeals, commencement and extent

美國

美國職業訓練的發展沿革與其國會制定的有關人力發展及訓練法案息息相關且同步發展。因此，探討美國職業訓練的發展經過及演變，可根據過去百餘年來美國對職業訓練的一些重要立法，約略可了解其發展史。

其法案沿革如下：

1. 1862年 Morrill Act
2. 1917年 Smith Hughes Act
3. 1933年 Wagner Peyser Act
4. 1935年 Social Security Act
5. 1937年 National Apprenticeship Act
6. 1940年 Vocational Education for National Defense
7. 1944年 Bill of Rights for World War II Viterans
8. 1958年 National Defense Education Act
9. 1958年 Labor Standard Act
Walsh Healey Act
10. 1961年 Area Redevelopment Act
11. 1962年 Manpower Development and Training Act
12. 1963年 Vocational Education Act
13. 1963年 Youth Employment Act
14. 1964年 Economic Opportunity Act
15. 1966年 Manpower Service Act
16. 1968年 Vocational Education Amendments Act
17. 1970年 Emergency Employment Act
18. 1973年 Comprehensive Employment and Training Act
19. 1982年 Job Training Partnership Act
20. 1983年 Vocational – Technical Education Act
21. 1984年 Carl D. Perkins Vocational Education Act
22. 1986年 Job Training Partnership Act Amendments
23. 1988年 Worker Adjustment and Retraining Notification Act
24. 1990年 Carl D. Perkins Vocational and Applied Technology Act
25. 1992年 Job Training Reform Amendments
26. 1994年 Goals 2000: Education America Act
27. 1994年 School-to-Work Opportunities Act
28. 1994年 Reemployment Act

1992年職業訓練修正法 (條文要旨)

Job Training Reform Amendments of 1992

TITLE I -- JOB TRAINING PARTNERSHIP REQUIREMENTS

SUBTITLE A -- GENERAL PROVISIONS

Sec. 101. Declaration of policy and statement of purpose.

Sec. 102. Authorization of appropriations.

Sec. 103. Definitions.

SUBTITLE B -- SERVICE DELIVERY SYSTEM

Sec. 111. Establishment of service delivery areas.

Sec. 112. Establishment of private industry council.

Sec. 113. Job training plan.

Sec. 114. Review and approval of plan.

Sec. 115. Performance standards.

Sec. 116. Selection of service providers.

Sec. 117. Limitation on certain costs.

Sec. 118. Recapture and reallocation of unobligated funds under title II.

SUBTITLE C -- ADDITIONAL STATE RESPONSIBILITIES

Sec. 121. Governor's coordination and special services plan.

Sec. 122. State education coordination and grants.

Sec. 123. Identification of additional imposed requirements.

Sec. 124. State labor market information programs.

SUBTITLE D -- PROGRAM REQUIREMENTS FOR SERVICE DELIVERY SYSTEM

Sec. 131. General program requirements.

Sec. 132. Benefits.

Sec. 133. Labor standards.

Sec. 134. Grievance procedure.

SUBTITLE E -- FEDERAL AND FISCAL ADMINISTRATIVE PROVISIONS

- Sec. 141. Prompt allocation of funds.
- Sec. 142. Fiscal controls; sanctions.
- Sec. 143. Reports, recordkeeping, and investigations.
- Sec. 144. Nondiscrimination.
- Sec. 145. Utilization of services and facilities.

TITLE II -- TRAINING SERVICES FOR THE DISADVANTAGED

- Sec. 201. Adult training program.
- Sec. 202. Adult training program allotment and allocation.
- Sec. 203. Adult training program eligibility and services.
- Sec. 204. Summer youth employment and training program.
- [** 1022] Sec. 205. Summer youth program transfer of funds.
- Sec. 206. Youth training program.
- Sec. 207. Youth training program allotment and allocation.
- Sec. 208. Youth training program eligibility and services.

TITLE III -- EMPLOYMENT AND TRAINING ASSISTANCE FOR DISLOCATED WORKERS

- Sec. 301. State agency approval.
- Sec. 302. Limitations on uses of funds.
- Sec. 303. Demonstration programs.

TITLE IV -- FEDERALLY ADMINISTERED PROGRAMS

- Sec. 401. Native American and migrant programs.
- Sec. 402. Job Corps.
- Sec. 403. National activities.
- Sec. 404. Uniform requirements.
- Sec. 405. Labor market information.
- Sec. 406. Establishment of the Youth Fair Chance program.
- Sec. 407. Establishment of the microenterprise grants program.
- Sec. 408. Establishment of the disaster relief program.

TITLE V -- JOBS FOR EMPLOYABLE DEPENDENT INDIVIDUALS INCENTIVE BONUS PROGRAMS

- Sec. 501. Jobs for employable dependent individuals.

TITLE VI -- STATE HUMAN RESOURCE INVESTMENT COUNCIL

Sec. 601. State human resource investment council.

TITLE VII -- MISCELLANEOUS PROVISIONS

Sec. 701. Effective date and transition provisions.

Sec. 702. Technical and conforming amendments.

參考書目：

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| 1. 各國職業訓練制度 | 542.75/7516 |
| 2. 各國職業訓練制度 | 528.89/2171 |
| 3. 英國職業訓練 | 542.7952/4101 |
| 4. 英國就業政策 | 542.7942/2179 |
| 5. Employment law | 344.01/P688 |
| 6. Labor and employment law, text and cases | 344.7301026/T974 |
| 7. Sweet and Maxwell's employment law manual | 344.4101125/S974 |
| 8. U.S. Labor and employment laws | 344.7301/U58 |