**STANDARDS OF APPRENTICESHIP**
**Adopted by**

**OREGON SW WASHINGTON CARPENTERS JATC**
(sponsor)

| Skilled Occupational Objective(s): | SIC # | SOC# | SYMBOL | SUFFIX | Term |
|---|---|---|---|---|---|
| Pile Driver | 1622 | 47-2031 | 0110 | 000 | 8,000 hours |

| MA# | 1057 | SOC Title | Carpenters | License | N/A |
|---|---|---|---|---|---|

APPROVED BY the
Oregon State Apprenticeship and Training Council (OSATC) *

REGISTERED WITH THE
Apprenticeship and Training Division
Oregon State Bureau Labor and Industries
800 NE Oregon Street
Portland, Oregon 97232

* See Section I for geographical area approved by the Washington State Apprenticeship & Training Council

APPROVAL:

June 20, 2002
Initial Approval Date

By: **BRAD AVAKIAN**
Chairman of Council

March 20, 2014
Last Date Revised

By: **STEPHEN SIMMS**
Secretary of Council

December 17, 2015
Committee Amended Date

MA 1057
Admin correction re: registration timelines: 08-18-2014

**APPRENTICESHIP STANDARDS**

The Oregon State Apprenticeship and Training Council (OSATC) has the authority to develop, administer, and enforce apprenticeship program standards (Standards) for the operation and success of an apprenticeship or on-the-job-training program in the State of Oregon. Apprenticeship programs and committees function to administer, exercise or relinquish authority only with the consent of the OSATC and only apprentices registered with or recognized by the Oregon State Bureau of Labor and Industries (BOLI), Apprenticeship and Training Division (ATD) will be recognized by the OSATC. Parties signatory to these apprenticeship standards declare that their purpose and policy is to establish and sponsor an organized system of registered apprenticeship and training education.

These Standards are in conformity with and are to be used in conjunction with the Apprenticeship Rules, Chapter 839-011 OAR (Oregon Administrative Rules); Apprenticeship and Training Statutes, Chapter 660 ORS (Oregon Revised Statute); The National Apprenticeship Act, 29 U.S.C. (United States Code) 50; Apprenticeship Programs, Title 29 Part 29 CFR (Code of Federal Regulations); and Equal Employment Opportunity in Apprenticeship and Training, Title 29 Part 30 CFR which collectively govern the employment and training in apprenticeable occupations. They are part of the apprenticeship agreement and bind all signers to compliance with all provisions of registered apprenticeship.

If approved by the council, such amendment(s) and such changes as adopted by the council shall be binding to all parties on the first day of the month following such approval. Sponsors shall notify apprentices and training agents of changes as they are adopted by the council. If and when any part of these Standards becomes illegal, as it pertains to federal and/or state law, that part and that part alone will become inoperative and null and void, and the Bureau of Labor and Industries (BOLI) may recommend language that will conform to applicable law for adoption by the OSATC. The remainder of the Standards will remain in full force and effect.

See ORS Chapter 660 & OAR 839-011 for the definitions necessary for use with these Standards.

*Sections of the standard inside of a border are specific to the individual standard and may be modified by the sponsor by submitting a revised standard for approval by the Oregon State Apprenticeship and Training Council. All other sections of the standard are boilerplate and may only be modified by the Council.*

I. GEOGRAPHIC AREA COVERED:

The sponsor only has authority to recognize training agents (employers) that maintain their principal place of business inside of the geographical area covered by these standards. Training agents that maintain their principal place of business outside of the geographical area covered by this standard may only be recognized as traveling training agents when working in geographic area covered by this standard. The Sponsor will ensure compliance with the provisions for traveling training agents and of any Reciprocity Agreement recognized by the OSATC. (See ORS 660.137 / OAR 839-011-0260 / OSATC Policy # 16)

The geographic area covered by these standards shall be all counties in the State of Oregon.

*These standards shall also cover Clark, Cowlitz, Klickitat, Skamania and Wahkiakum Counties, and that portion of Pacific County south of a straight line made by extending the north boundary of Wahkiakum County west to Willapa Bay to the Pacific Ocean and, thence, north through the*

*natural waterway to the Pacific Ocean to include the entire peninsula west of Willapa Bay in the State of Washington for notification purposes under the terms and conditions of the reciprocal agreement.*

II. MINIMUM QUALIFICATIONS:
Minimum qualifications must be clearly stated and applied in a nondiscriminatory manner (See ORS 660.126 (1b). Documentation must be provided for all minimum qualifications:

| | |
|---|---|
| Age: | Seventeen (17) years of age and have a high school diploma, GED or equivalent OR Eighteen (18) years of age. |
| Education: | No specific educational requirements if 18 years of age |
| Physical: | No specific physical requirements |
| Testing: | None |
| Other: | None |

| | |
|---|---|
| Note: | See, § X, ¶ 6, infra |

III. CONDUCT OF PROGRAM UNDER OREGON EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP PLAN (OAR 839-011-0200):
Standards must include the Oregon Equal Employment Opportunity in Apprenticeship and Training Pledge (See OEEOA Section 4)

**THE SPONSOR HEREBY ADOPTS:**

"The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, sex, color, religion, national origin, age, disability or as otherwise specified by law. The sponsor shall take positive action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Oregon State Apprenticeship and Training Council and Title 29, Part 30 of the Code of Federal Regulations."

Sponsors with five (5) or more apprentices in an apprenticeable occupation must adopt an Equal Employment Opportunity Plan and Selection Procedures and submit the plans for Council approval. (See OAR 839-011-0200 / Sections 5 & 6 of the Oregon Equal Employment Opportunity in Apprenticeship (OEEOA) / Council policy # 23).

A. SELECTION PROCEDURES:
The committee shall select apprentices from a pool of eligible applicants according to the following procedure: (ORS 660.137 (3) / OEEOA section 6)

1. All out of work apprentices in good standing will be offered the opportunity for re-employment prior to new applicants being registered in conformance with the committee's approved initial employment policy.

2. Application notice and schedule:
The Committee will accept and process applications on dates it will specify in accordance with applicable statute and regulation, its approved procedures, these Standards and its Affirmative Action Work Plan.

3. Non-qualified applicants:

   The Committee will give required notice, in writing, to an applicant who fails to meet the minimum qualifications.

4. Pool of eligibles and registration:
   a. Qualified applicants must attend the Sponsor's class designed to orient the applicant with the trade and this program.
   b. The Committee will interview Qualified Applicants only after they complete the trade orientation class.
   c. Qualified Applicants will enter the Ranked Pool of Eligibles in descending order based on interview score.
   d. Ranked position may change when additional applicants enter the Pool.
   e. Applicants placed on the Qualified Applicant List and/or the Ranked Pool of Eligibles will be removed under the following circumstances:
      i. The applicant has been in the Ranked Pool of Eligibles for two years without registration to these Standards.
      ii. A Qualified Applicant has failed to complete the Sponsor's trade orientation class within two months of receipt of notice of eligibility.
      iii. The applicant has requested removal from either any applicant list or the Ranked Pool.
      iv. The applicant has failed to respond to a written communication from the Committee and/or improperly refused employment.
      v. The applicant has registered for, but twice failed to complete, a scheduled trade orientation class.
      vi. An applicant has failed to maintain a current address or telephone contact.
   f. The Committee will notify, in writing, any applicant removed from any list with the reason(s) for removal and their appeal rights.

EXCEPTIONS

1. APPRENTICE TRANSFER

   An apprentice currently registered in a program affiliated with this program's sponsoring organizations, or with other registered apprenticeship programs which provide similar work experience and related instruction, may at any time seek entry into the program. The apprentice must have been registered for a minimum of six months, have at least 500 hours verifiable OJT, be in good standing with their JATC and meet the current minimum qualifications of these standards. Qualifying individuals will be placed at the bottom of the out-of-work apprentice list.

2. EXPERIENCED APPRENTICE (Re-entry to this program)

   The Committee may permit an apprentice, who voluntarily withdrew from this pile driver program (MA 1057), to re-enter at any time and resume training at that level and term which the Committee finds appropriate to the skills, knowledge, education and training of the apprentice.

   The Committee may permit an apprentice, who was dismissed for cause from this or any registered apprenticeship program, to apply to this program only after at least 12 months have expired since the date the committee entered the cancellation, termination or dismissal.

3. NEW TRAINING AGENT

If an employer has not participated in the training of an apprentice under ORS Chapter 660 for at least two years prior to seeking entry or re-entry into the apprenticeship program, the employer may select as his/her initial apprentice, without going to the pool, those bona fide employees who have been on his/her payroll for at least 480 hours prior to the employer's application for an apprentice and who meet the minimum qualifications for entry into the trade. Once the initial selection of an apprentice has been made the employer thereafter is restricted to a selection from applicants in the ranked pool of eligibles established by the sponsor.

4. PREVIOUS EXPERIENCE

Upon the following terms, the committee shall, at any time, consider an application for admission from an applicant with prior experience in the Pile Driver occupation:

- The applicant must meet the minimum qualifications of this program;
- The applicant must document not less than 2,000 hours of OJT experience of which 1,500 were obtained within the immediately preceding 12 month period;
- The applicant must submit to a validated objective examination to verify skill level;
- If registered under this exception, the applicant shall be granted credit for experience in the Pile Driver trade based upon the following:
  - demonstrated skills;
  - documented experience;
  - documented classroom training;
  - results of the objective examination.
- The Committee will retain all evaluation data consistent with ORS 660, et seq.;

Each apprentice registered under this exception will complete all related / supplemental instruction curricula in these Standards except insofar as credit was given for the same or similar validated curricula already completed.

The applicant will be registered and placed at the bottom of the out of work list.

The Committee will evaluate each registration to the program under this procedure and address in its Minutes, the impact, if any, on the Committee's Affirmative Action Plan, its Goals and Timetables, and Equal Employment Opportunity Pledge.

5. PRE-APPRENTICESHIP

Graduates that have successfully completed carpenter and carpenter related occupation pre-apprenticeship programs jointly approved by the OSATC and the committee during the preceding four years will be registered and placed at the bottom of the apprentice out of work list, providing that the applicant meets the current minimum qualifications. Such priority is granted without regard to race, color, religion, national origin, or sex.

9. CONTRACTUAL REQUIREMENT

A training agent, able to document the existence of a valid contractual requirement for specific percentages of minority and/or female apprentices on the job, may request that the sponsor pierce the Out of Work List and Ranked Pool of Eligibles to reach the top minority or female qualified applicant(s). The sponsor will record on the registration agreement, and in its minutes, the use of this exception and retain a copy of applicable bid specifications.

11. NATIVE AMERICAN PREFERENCE

Qualified Native American applicants referred and ranked by a Tribal Employment Rights or Human Services Office (TERO), and who otherwise meet the minimum qualifications of these Standards, may be selected for dispatch without regard to existing selection procedures if the work to be performed is in a geographic area on or near an existing Indian Reservation, Lands or Nation or has been funded by, or at the direction of, an Indian Tribe or Nation.

12. VETERAN'S ENTRY

Upon the following terms, the committee shall, at any time, consider an application for admission from a Veteran of the United States armed forces or an active Service Member who is within 180 days of Honorable Discharge:

- The applicant must meet the minimum qualifications of this program and, at time of entry, have been Honorably Discharged from the United States armed forces;
- The applicant must have been a member of the Regular Service, discharged within the preceding 24 months, and possess a DD-214 indicating an Honorable Discharge;
- Or, the applicant must have been a member of the Selected Reserve, or Individual Ready Reserve, discharged within the preceding 24 months and possess a DD-214 indicating an Honorable Discharge;
- Or, the applicant must have been a member of the National Guard, discharged within the preceding 24 months and possess a DD-214 indicating an Honorable Discharge.

Individuals qualifying under this exception may seek direct entry and, if registered, will be placed at the bottom of the out of work list.

B. EQUAL EMPLOYMENT OPPORTUNITY PLAN:

1. A sponsor's commitment to equal opportunity in recruitment, selection, employment and training of apprentices shall include the adoption of a written affirmative action plan. (See OAR 839-011-0200 / OEEOA sections 5 a, b and c)

2. In addition the sponsor will set forth the specific steps that it will take under this plan, review and update the specific steps that it will take to implement the plan at least yearly and submit the updated steps to the Apprenticeship and Training Division (ATD) for review and approval. (OEEOA section 5 & 8)

3. Numerical goals and timetables for the selection of minority and female apprentices shall be included with the sponsor's annual updated steps. (OEEOA section 5 & 8)

4. The sponsor hereby adopts the following activities in order to enable it to meet its affirmative action obligations.

5.

1: DISSEMINATE INFORMATION

Dissemination of information concerning the nature of apprenticeship, requirements for admission to apprenticeship, availability of apprenticeship opportunities, sources of apprenticeship application, and the equal opportunity policy of the sponsor. For programs accepting applications only at specified intervals, such information shall be disseminated at least 30 days in advance of the earliest date for application at each interval. For programs customarily receiving applications throughout the year, such

information shall be regularly disseminated but not less than semiannually. Such information shall be given to Council, local schools, employment offices, women's centers, outreach programs and organizations that can effectively reach women and minorities, and shall be published in newspapers circulated in the minority community and among women, as well as the general areas in which the sponsor operates.

2: PARTICIPATE IN ANNUAL WORKSHOPS

Participate in annual workshops to familiarize educators, career counselors, employment service representatives, and other appropriate personnel with apprenticeship in general as well as current opportunities.

3: PREPARE STUDENTS FOR ENTRY INTO APPRENTICESHIP

Cooperate with local schools and vocational education systems to develop programs for preparing students to meet the standards and criteria required to qualify for entry into apprenticeship programs.

4: INTERNAL COMMUNICATION

Communicate the equal opportunity policy in a manner to foster understanding, acceptance and support among the committee's members, training agents, and apprentices and to encourage those people to take the action necessary to meet the committee's affirmative action commitments.

5: OUTREACH

Engage in outreach programs for the positive recruitment and preparation of potential applicants for apprenticeship. The committee will identify other apprenticeship program sponsors and community organizations with whom they may collaborate. The sponsor will seek out and support programs to prepare and encourage women to enter traditionally male occupations.

6: ESTABLISH AND USE PRE-APPRENTICESHIP PROGRAMS

Encourage the establishment and utilization of programs of pre-apprenticeship, preparatory trade training, or others designed to afford related work experience or to prepare candidates for apprenticeship. Make appropriate provision in the affirmative action plan to assure those who complete such programs are afforded full and equal opportunity for admission into the apprenticeship program.

7: UTILIZE JOURNEY WORKERS IN AFFIRMATIVE ACTION

Include journey level workers in the implementation of the affirmative action plan.

C. DISCRIMINATION COMPLAINTS:

1. Any apprentice or applicant for apprenticeship who believes they have been discriminated against with regards to apprenticeship by the committee may file a complaint. (See OAR 839-011-0200 / OEEOA Section 11)

2. The basis of the complaint may be:

   a. Discrimination on the basis of race, sex, color, religion, national origin, age, disability or as otherwise specified by law by a sponsor or a sponsor's program

b. The equal employment opportunity plan has not been followed; or

c. The sponsor's equal employment opportunity plan does not comply with the requirements of the Oregon Equal Employment Opportunity in Apprenticeship Plan.

3. Any such complaint must be filed with the Director of the Apprenticeship and Training Division (Secretary of the OSATC) in writing within 180 days of the alleged illegal discrimination or specified failure to follow the equal opportunity requirements.

4. The written complaint must include the name, address and telephone number of the person allegedly discriminated against, the sponsor involved and a description of the circumstances of the complaint.

5. For complaints dealing with program operations see section X of this document.

IV. TERM of APPRENTICESHIP:

1. The term of apprenticeship will not be less than 2,000 hours of work experience in the apprenticeable occupation identified in this Standard. (See ORS 660.126 (d))

2. The term of apprenticeship must be stated in hours unless otherwise required by a collective bargaining agreement, civil service or other governing regulation. (See ORS 660.126)

3. The sponsor may accelerate, by an evaluation process, the advancement of apprentices who demonstrate abilities and mastery of the occupation to the level for which they are qualified. (See ORS 660.137 (4))

4. When the apprentice is granted advanced standing, the employer must pay the apprentice at the appropriate wage per the wage progression schedule specified in these standards. (See ORS 660.142)

   NOTE: In licensed occupations the apprentice must complete the minimum hours of documented legal experience.

   The term of apprenticeship shall be 8,000 hours of employment.

V. INITIAL PROBATIONARY PERIOD:

1. All apprentices are subject to an initial probationary period, stated in hours of employment during this time; an apprenticeship agreement may be terminated without cause. It is the period following the effective date of the apprentice's current registration into the program and during which the apprentice's appeal rights are restricted. (See ORS 660.126 (1g)

2. The initial probationary period must be reasonable in relationship to the full term of the apprenticeship unless otherwise required by Civil Service, CBA or law. It cannot exceed one year (12 months) or 25 percent of the length of the program, whichever is shorter. (See ORS 660.126 (1g))

3. During the initial probationary period either party to the agreement may terminate the apprenticeship agreement upon written notice to the Apprenticeship and Training Division of the Oregon Bureau of Labor and Industries. (See ORS 660.126 (1g) & ORS 660.060 (6))

4. An appeal process is available to apprentices who have completed the initial probationary period. (See ORS 660.060 (6) & (7) and section X of this standard)

   The probationary period shall be the first 1,600 OJT hours of employment, or one year after the current registration to this standard, whichever is shorter. (See ORS 660.126 (g))

VI. RATIO OF APPRENTICES TO JOURNEY LEVEL WORKERS:

1. There shall be a maximum numeric ratio of apprentices to journey-level workers consistent with proper supervision, training, safety and continuity of employment. (See ORS 660.126 (1f))

2. The ratio shall be specifically and clearly stated as to its application to the job site, workforce, department, shift, plant or combination therein. (See ORS 660.126 (1f))

3. The Sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. (See ORS 660.126 (1f), OAR 839-011-0140 (2g), OAR 839-011-0360)

   The ratio of apprentices to journey-level workers shall not be more than one (1) apprentice to one (1) journey-level worker for the first three (3) journey-level worker(s) on the jobsite. Additional apprentices are authorized at a ratio of one (1) apprentice for each additional five (5) journey-level worker(s) or portion thereof on any job site. (See ORS 660.126 (f))

   A contractor shall employ at least one (1) apprentice on any job site on which five (5) or more journeymen are employed and at least the equivalent of one (1) apprentice for every five (5) journeymen in his/her total work force. The Joint Apprenticeship and Training Committee (JATC) shall permit enrollment sufficient to satisfy this minimum ratio.

VII. APPRENTICE WAGES and WAGE PROGRESSION:

1. The apprentice shall be paid according to a progressively increasing schedule of wage based on specified percentages of the average journey-level wage consistent with skills acquired. (See ORS 660.126 (1h))

2. Wage progressions shall be indicated in hourly or monthly periods (the registration agency recommends the use of hour periods) set by the Sponsor. (See ORS 660.126 (h))

3. The entry wage will not be less than the federal or state minimum wage rate, whichever is higher. (See ORS 660.142 (4))

4. The wage listed in this standard at all periods establishes a minimum and a higher wage may be required by other applicable federal law, state law, respective regulations, or by a

collective bargaining agreement. (See ORS 660.126 (1h), ORS 660.137 (6), ORS 660.142 & OAR 839-011-140 (2f))

5. The sponsor must re-determine the average journey-level wage at least annually and submit the new average journey wage to the Director of the Apprenticeship and Training Division with a statement explaining how such determination was made and the effective date of the new average journey wage. (See ORS 660.137 (6))

6. Upon approval by the Director, the Division will notify all training agents and apprentices of the new wage. (See ORS 660.142 (2))

The average wage for those journey-level workers employed by the participating employers in this occupation on **June 1, 2015** is $ **35.77** per **hour**.

| Period | Months as an Apprentice for re-rate | Minimum OJT Hours | Estimated School Hours needed for re-rates | % of the journey level rate |
|---|---|---|---|---|
| 1 | 0 | 0 | 0 | 60 |
| 2 | 6 | 750 - 1,000 | 80 | 73 |
| 3 | 12 | 1,500 - 2,000 | 160 | 75 |
| 4 | 18 | 2,250 - 3,000 | 240 | 80 |
| 5 | 24 | 3,000 - 4,000 | 320 | 83 |
| 6 | 30 | 3,750 - 5,000 | 400 | 85 |
| 7 | 36 | 4,500 - 6,000 | 480 | 90 |
| 8 | 42 | 5,250 - 7,000 | 560 | 95 |
| 9 = Completion | 48 | 6,000 - 8,000 | 640 | 100 |

VIII. WORK PROCESSES:

1. The apprentice shall receive the necessary instruction and experience to become a journey-level worker versed in the theory and practice of the occupation. (See ORS 660.155 / ORS 660.157 / OAR 839-011-0360)

2. The following is a condensed schedule of work experience that every apprentice shall follow as closely as conditions will permit. (See ORS 660.126 (1c) OAR 839-011-0360; OAR 839-011-0140)

NOTE: In licensed occupations apprentices must complete the minimum required total hours prior to being referred to the license examination.

| Work processes | Approximate hours |
|---|---|
| a. Tools and materials, transit and level, maintenance and care of outboard motors, pumps, and light plants | 460 |
| b. Framework for foundations and footings, concrete form construction, bridge construction, basic timber work | 3,800 |

| | | |
|---|---|---|
| c. | Oxygen-acetylene cutting and welding, arc welding | 1,400 |
| d. | Pile driving equipment, cofferdams, sheet piling, driving of piles, drilling of piles | 1,790 |
| e. | Rigging, signaling | 500 |
| f. | Diving and tending (optional) | 50 |
| | TOTAL | 8,000 |

NOTE: The committee realizes that the completion of 8,000 hours of on-the-job training is the ideal, but recognizes that most apprentices will not be able to fulfill the total amount of hours specified in every work process as set forth in this standard. When an apprentice is unable to fulfill the total work hours in each work process the committee will evaluate the apprentice's knowledge, skills and abilities and provide appropriate additional related instruction to assure that competency is acquired in each work process. The evaluation and summary of the additional instruction will be noted in the apprentice's file.

IX. RELATED/SUPPLEMENTAL INSTRUCTION:

1. The apprentice must attend related/supplemental instruction for at least 144 hours per year unless otherwise stated in this standard. Time spent in related/supplemental instruction will not be considered as hours of work, and the apprentice is not required to be paid for time so spent. (See ORS 660.126 (1e))

2. The Committee must provide for instruction of the apprentice during the related/supplemental instruction in safe and healthful work practices in compliance with the Oregon OSHA regulations and applicable federal and/or state regulations. (See ORS 660.137)

3. In case of failure on the part of any apprentice to fulfill the related instruction obligation, the sponsor has the authority to withhold the apprentice's periodic wage advancement; or with a reasonable opportunity to remedy deficiencies, suspend, or cancel the Apprenticeship Agreement. (See ORS 660.157 (4))

4. Clock hours of actual attendance by the apprentice in related/supplemental instruction classes at the community college, training trust or other approved training provider shall be documented and tracked by the Committee. (See ORS 660.157 (2a))

5. Related instruction activities must be at the direction of a qualified instructor. (See ORS 660.157 (3))

   Methods of related/supplemental training must consist of one or more of the following: (See ORS 660.157)

   d. X Community college;

   e. X Training trust;

   f. X Pacific Northwest Carpenters Institute

A minimum of 144 hours of related training shall be required during each year the apprentice is registered in the program. (See ORS 660.126 (e))

The following is a summary of related instruction including required class hours in each element of instruction. A committee may establish and submit clear objectives and outcomes in lieu of hours for each class subject. (See ORS 660.157)

| Course | Hours |
|---|---|
| Introduction | 40 |
| Concrete | 40 |
| Construction Mathematics | 40 |
| Rigging Qualification & Boom Truck Safety Awareness | 40 |
| Basic Blueprint Reading | 40 |
| Piledriving, Fresh Heading | 40 |
| Welding and Cutting | 40 |
| Shoring, Excavation, Cofferdams, Cells and Caissons | 40 |
| 9. Bridges and Trestles | 40 |
| Dock Repair, Deck, Pile Spacing | 40 |
| Diver and Diver Tending | 40 |
| Pile Caps | 40 |
| The following optional courses will be offered to each Piledriver apprentice: | |
| Elective Hazardous Waste | 40 |
| Elective Advanced Welding | 40 |
| Elective Equipment Orientation & Qualifications | 40 |
| Elective OSHA 30 / CPR | 40 |
| Elective Advanced Concrete | 40 |
| Elective Trade Show | 40 |
| Elective Anatomy of Bridge Construction | 40 |
| Total | 640 |

X. <u>ADMINISTRATIVE/DISCIPLINARY PROCEDURES:</u>
See: ORS 660.120 OAR 839-011-0073

1. Local committee rules or policies and any employment requirement such as driver's license, drug test etc. will be located in this section.

2. The committee may include provisions for committee-imposed "disciplinary probation," which is a time assessed when the apprentice's progress is not satisfactory; a "disciplinary probation" may only be used to provide an opportunity for the apprentice to correct deficiencies and cannot affect the apprentice's appeal rights after the initial probation is completed. ( See ORS 660.137 (4))

3. During disciplinary probation the committee may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take other disciplinary action. ( See ORS 660.137 (4) )

4. The apprentice has the right to file an appeal of the committee's disciplinary action with the Director of the Apprenticeship and Training Division. (See ORS 660.137 (4))

5. Complaint and Appeal Procedures:

   a. Each committee shall adopt and submit complaint review procedures for Division approval.

   b. All approved committees are expected to administer the program's approved complaint review process in a fair and consistent manner. (See ORS 660.120, ORS 660.060 & OEEOA Section 9)

   c. Complaints that involve matters covered by a collective bargaining agreement are not subject to the complaint review procedures in this section. (See ORS 660.126 (2))

   d. After the initial probationary period the apprenticeship agreement may be canceled by a written request from the apprentice. (See ORS 660.126 (1g) ORS 660.060 (7))

   e. After the initial probationary period the committee may only suspend, cancel or terminate the apprentice agreement for good cause, which includes but is not limited to: failure to report to work, nonattendance at related instruction, failure to submit work progress reports and lack of response to committee citations. (See ORS 660.060 (7))

      i. Due notice and a reasonable opportunity for correction must be provided to the apprentice.

      ii. Upon suspension a written notice must be provided to the apprentice and to the Apprenticeship and Training Division.

      iii. Upon cancellation a written notice must be provided to the apprentice and to the Apprenticeship and Training Division.

   f. Each committee shall utilize the following procedures and time lines for disciplinary action (cancellation or termination). Committees may adopt and submit alternate complaint procedures, for Division review and approval, providing the procedures are reasonably expected to offer equal protection to the apprentice. (See ORS 660.060 (8))

      i. At least 22 days prior to potential disciplinary action by a committee
         - The committee must notify the apprentice in writing of alleged reason for the proposed disciplinary action and potential action to be taken if the allegation is substantiated
         - The decisions are effective immediately upon committee action
         - The committee will send written reason(s) for such action to the apprentice by registered or certified mail and will include the appeal rights of the apprentice

      ii. Within 30 days of receipt of committee decision the apprentice may request reconsideration of the action taken by the committee
         - The apprentice’s request for the local committee to reconsider their disciplinary action must be submitted in writing and must include the reason(s) the apprentice believes the committee should reconsider the disciplinary action.

      iii. Within 30 days of apprentice’s request for reconsideration

- The local committee must provide written notification of their final decision including the appeal rights of the apprentice if the committee upholds its decision on the disciplinary action

g. If the apprentice chooses to pursue the complaint further

i. Within 30 days of notification of the committee's final action
   - The apprentice must submit the complaint describing in writing the issues associated with the disciplinary action to the Director of the Apprenticeship and Training Division
   - The apprentice must describe the controversy and provide any backup information
   - The apprentice must also provide this information to the local committee/organization

ii. Within 60 working days the Director of the Apprenticeship and Training Division will complete a review of the record
   - If no settlement is agreed upon during review, the Director must issue a non-binding written decision resolving the controversy.

h. If the apprentice or local committee disputes the Director's decision

i. Within 30 days of Director's decision the dissenting party must submit a request for the OSATC to hear its case
   - Request must be in writing
   - Must specify reasons supporting the request
   - Request and supporting documents must be given to all parties
   - OSATC Rules and Policy Sub-Committee conducts hearing within 45 days and reports its findings to the next regular quarterly meeting of the OSATC
   - The OSATC renders a decision based on the sub-committee's report.

ii. Within 30 days of the OSATC meeting
   - The Secretary of the OSATC issues the decision in writing

6. Attendance of a pre-hire class designed to familiarize the applicant with the trade is required prior to being interviewed and placed in the ranked pool of eligibles.

XI. <u>COMMITTEE – RESPONSIBILITIES AND COMPOSITION:</u>
The following is an overview of the requirements associated with administering an apprenticeship committee and/or program. These provisions are to be used in conjunction with the corresponding ORS and/or OAR.

1. The committee is the policymaking and administrative body responsible for the operation and success of this Apprenticeship program.

2. The committee is responsible for the day-to-day operation of the apprenticeship program and must be knowledgeable in the application of Chapter 660 ORS, OAR 839 division 011 and other law and rule as appropriate to the occupation(s).

3. Sponsors must develop policies and procedures for committee operations (ORS 660.060 (8), ORS 660.135, ORS 660.137, OAR 839-011-0170). The committee's specific policies

pertaining to the operation of the program are included in this standard. The procedures for the implementation of the approved policies are maintained by the committee. After approval by the division the approved procedures shall be distributed to all apprentices and training agents.

4. Committees must convene meetings at least semi-annually that are attended by a quorum of committee members as defined in the approved Standards. (See ORS 660.137 (4))

    a. A quorum for a local joint or trade committee shall consist of at least two (2) members representing the employers and two (2) members representing the employees. (See ORS 660.135 (3), ORS 660.145)

    b. Conference call meetings may be conducted in lieu of regular meetings but must not exceed the number of attended meetings during a calendar year and may not authorize disciplinary action of apprentices. (See ORS 660.060 (8))

    c. Minutes of all meetings must be submitted to the Apprenticeship and Training Division within 10 working days of the meeting. (See OAR 839-011-0170)

5. Program Operations (ORS 660.135, ORS 660.137, OAR 839-011-0170, OAR 839-011-0200:

    a. The Committee will record and maintain records pertaining to the local administration of its Apprenticeship Program and make them available to the OSATC or its representative on request.

        i. These records include, but are not limited to
            - Selection of applicants
            - Administration of the apprenticeship program
            - Affirmative action plans
            - Documentation necessary to establish a sponsor's good faith effort in implementing its affirmative action plan
            - Qualification standards

    b. Records required by the Oregon Equal Employment Opportunity in Apprenticeship rules (OAR 839-011-0200) will be maintained for five (5) years; all other records will be maintained for five (5) years after the final action taken by the committee on the apprenticeship agreement.

    c. The following must be submitted by all programs through the Apprenticeship Representative assigned to assist the committee:

        i. Apprenticeship Registration Agreement – within the first 45 days of employment as an apprentice. (See ORS 660.020, OAR 839-011-0088) (In licensed occupations registration must occur prior to employment in the trade)

        ii. Committee Minutes – within 10 working days of the meeting. (See OAR 839-011-0170)

        iii. Authorized Training Agent Agreements – within 10 working days of committee action to approve the training agent. (ORS 660.020, OAR 839-011-0162)

- Interim recognition may be authorized by committee policy but may not exceed 45 calendar days.
- Any recognition of a training agent prior to formal action of the committee must be in conformance with the committee's council approved policy.

iv. Revision of Occupation Standards - as necessary, no later than 45 days prior to OSATC meeting. (See OAR 839-011-0030) (Programs should review their Standards at least annually)
- Forms are available from the Apprenticeship Representative. If approved by the OSATC, such amendment(s) and such changes as adopted by the OSATC will be binding to all parties on the first day of the month following OSATC approval.

v. Revision of Committee Member Composition as necessary (included in committee minutes). (See OAR 839-011-0074)

vi. Average Journey Level Wage – at least annually or whenever changed (included in minutes and by letter to the Director summarizing how the average wage was determined). (See ORS 660.137 (6), ORS 660.142)

vii. Authorization of Signature - as necessary (See ORS 660.135 (4))

viii. Authorization for issuance of initial license may be granted after the committee is found to be in compliance for operational purposes.

d. Adopt, as necessary or as directed, local program policies and procedures for the administration of the apprenticeship program in compliance with this Standard. (See ORS 660.060 (8), ORS 660.120 (2), OAR 839-011-0073)

i. Policies must be submitted to the OSATC for review and approval.

ii. Procedures must be submitted for Division (ATD) approval and inclusion by reference in this Standard prior to implementation.

6. Apprentice Management:

a. Applicants accepted by the committee, who have documented legal experience creditable to the apprenticeship in the skilled occupation or in some other related capacity, may be granted advanced standing as apprentices. (See OAR 839-011-0088 (3a) Apprentices admitted to advanced standing will be paid the wage rate for the period to which such credit advances them. (In licensed occupations previous credit must be documented legal experience)

b. Each apprentice (and, if under 18 years of age, the parent or guardian) will sign an Apprenticeship Agreement with the Sponsor, who will then register the Agreement, with the Apprenticeship and Training Division of the Bureau of Labor and Industries within the first 45 days of employment as an apprentice. (See ORS 660.020 (1), ORS 660.060, OAR 839-011-0088)

c. The Apprenticeship and Training Division must be provided a copy of the committee minutes approving any change of disposition or modification of the Registration Agreement within 10 working days of the committee meeting. (See OAR 839-011-0170)

i. Requests for disposition or modification of Agreements include: (1) Certificate of completion, (2) Additional credit, (3) Suspension, military service, or other, (4) Reinstatement, (5) Cancellation, (6) Re-rates, (7) Holds, (8) Examination Referral, (9) Corrections, (10) Limited Supervision-electrical, (11) Phased Supervision-plumbing.

d. Rotate apprentices in the various processes of the skilled occupation to ensure the apprentice is trained to be a competent journey-level worker. (See ORS 660.137 (2c), OAR 839-011-0265.

e. At least once every six months the sponsor must review and evaluate each apprentice's progress and take action to advance based on the apprentice's progress or hold the apprentice at the same level for a reasonable period and opportunity for corrective action or terminate for continued inadequate progress. (See ORS 660.137 (4))

f. The evidence of such action will be the record of the apprentice's progress on the job and during related/supplemental instruction.

i. If the apprentice's progress is not satisfactory, the committee has the obligation to withhold the apprentice's periodic wage advancements, suspend or cancel the Apprenticeship Agreement, or take other disciplinary action as established under the "Administrative/Disciplinary Procedures."

g. The committee has the obligation and responsibility to provide insofar as possible, reasonably continuous employment for all apprentices in the program. (See ORS 660.126, ORS 660.020)

i. The committee may arrange to transfer an apprentice from one training agent to another or to another committee when the committee is unable to provide reasonably continuous employment, or they are unable to provide apprentices the diversity of experience necessary for training and experience in the various work processes as stated in this Standard.

ii. If, for any reason, a layoff of an apprentice occurs, the Apprenticeship Agreement will remain in effect unless canceled by the committee.

h. An apprentice who is unable to perform the on-the-job portion of apprenticeship training may, if the apprentice so requests and the committee approves, participate in related/supplemental instruction classes, subject to the apprentice obtaining and providing written medical approval for such participation. However, time spent will not be applied toward the on-the-job portion of apprenticeship training. (See ORS 660.126 (i))

i. The committee will hear and adjust all complaints of violations of apprenticeship agreements. (See ORS 660.137)

j. Upon successful completion of apprenticeship, as provided in these Standards, and passing any examination that the committee may require, the committee will recommend that the Oregon Commissioner of Labor award a Certificate of Completion of Apprenticeship. (See ORS 660.137, ORS 660.205)

7. Training Agent Management:

   a. Offer training opportunities on an equal basis to all employers and apprentices. (See OAR 839-011-0084)

   b. Grant equal treatment and opportunity for all apprentices through reasonable working and training conditions and apply those conditions to all apprentices uniformly. (See OAR 839-011-0200, Council Policy # 13)

   c. Provide training at a cost equivalent to that incurred by currently participating employers and apprentices. (See OAR 839-011-0084)

   d. An employer shall not be required to sign a collective bargaining agreement or join an association as a condition of participation. (See OAR 839-011-0162)

   e. Determine the adequacy of an employer to furnish proper on-the-job training in accordance with the provisions of these Standards. (See ORS 660.137)

   f. Require all employers requesting approved training agent status to complete a training agent application and comply with all Oregon State apprenticeship laws and the appropriate apprenticeship Standards. (See ORS 660.137)

   g. Submit approved training agent agreements to the Apprenticeship and Training Division within 10 working days of committee approval with a copy of the agreement and/or the list of approved training agents and committee minutes where approval was granted. (See OAR 839-011-0170)

   h. Make periodic checks of approved training agents and withdraw approval when approval qualifications are no longer met or when it appears to the committee that the employer is in violation of the terms of the apprenticeship agreement, standards, rules, regulations and policies of the committee or OSATC. (See ORS 660.137)

   i. If a committee acts to withdraw training agent status from an employer the action must be recorded in the committee minutes and submitted to the Apprenticeship and Training Division within 10 working days of the committee action. (See OAR 839-011-0170)

8. COUNCIL REQUIRED POLICIES: (See ORS 660.120 - ORS 660.137)

   a. Credit for prior experience

      The committee will review written requests for previous credit that are supported by written documentation and grant credit based on the knowledge, skills and abilities of the apprentice in accordance with the committee's published procedures.

   b. OJT requirements (hours, work processes, rotation/partial rotation, monthly progress reports, timelines, applicable penalties)

      Apprentices can work only for approved training agent as assigned by the committee and must record and submit on-the-job training hours.
      Apprentices must submit a properly completed and signed MPR each month whether or not they are working.

c. Related training requirements (attendance, grades)

Apprentices must attend related instruction as directed by the committee or the committee's authorized representative

d. Complaint procedures

A training agent/training agent applicant or apprentice/apprentice applicant who has a dispute with the program must submit the grievance to the committee in writing in accordance with the committee's procedure manual.

e. Process for the review and evaluation of apprentice progress

The committee will regularly review and evaluate the progress of each apprentice as to job performance and related instruction. Re-rates are considered by the sub-committee at each meeting and recommended re-rates are awarded when approved by the Committee.

f. Advancement requirements (re-rates, completions)

Each apprentice is expected to advance in the program and is subject to committee review every six months at a minimum. Re-rates are considered by the sub-committee at each meeting and recommended re-rates are awarded when approved by the Committee.

g. Disciplinary process (appearances, holds, cancellations)

Failure to satisfy program requirements will result in one or more of the disciplinary actions outlined in the committee procedures.

h. Training agent requirements (approval, discipline, removal)

As with the apprentice the training agent must make application and be approved by the committee in accordance with the committee's published procedures. Approved training agents are responsible for providing meaningful experience and training for the apprentice and for following the procedures established for training agents. Each training agent will be provided with a copy of the committee's procedures and must follow the policies to maintain recognition as an approved training agent or traveling training agent.

i. Traveling training agent policy

A traveling training agent (visiting contractor that maintains its principal place of business outside of the geographical area covered by this committee) must submit proof of approved training agent status from its home jurisdiction. A letter from the home jurisdiction must be submitted stating that the company is in good standing prior to seeking traveling agent status with this committee.

j. Initial employment policy

An applicant who has been placed in the ranked pool shall be afforded a reasonable opportunity for employment and shall only be removed from the pool in accordance with

the committee's published procedures.

k. Placement procedures for out-of-work apprentices

It is the committee's intent to provide reasonably continuous employment for all apprentices. To this end the apprentice must accept employment offers and only leave employment at the direction of the committee or its authorized representative in accordance with the committee's published procedures.
Reemployment – All apprentices laid off or terminated must place their names on the appropriate trade out of work list.

l. License requirements, including exam referral and completion requirements (for licensed trades only)

N/A – This trade does not require a license.

9. Optional Policies

Dispatch: New apprentices will be dispatched by the committee's representative from the Ranked Pool of Eligibles according to the committee's approved selection procedure.

10. Composition of Committee:

a. Joint apprenticeship and training committees must be composed of an equal number of employee and employer representatives composed of at least four principal members but no more than eight principal members. An alternate member may be appointed for each principal member. A quorum shall consist of at least two employer members and two employee members. (See ORS 660.135; OAR 839-011-0074)

b. Trades apprenticeship and training committees must be composed of an equal number of employee and employer representatives composed of one principal employee and one principal employer member for each occupation covered by the trades committee. An alternate member may be appointed for each principal member. A quorum shall consist of at least two employer members and two employee members. (See ORS 660.145; OAR 839-011-0074)

c. Employee representatives shall not be supervisors as defined by the National Labor Relations Act (as amended). (See OAR 839-011-0074)

d. Employee representatives shall be skilled practitioners of the trade, except;

e. A labor organization which is the recognized bargaining representative may designate elected representatives as employee members. (See ORS 660.135 & OAR 839-011-0074)

f. The committee shall elect a chairperson and a secretary from the committee members. One of the offices must be held by an employer member and one office must be held by an employee member.

g. Committee members or officers may be removed for failure to abide by ORS 660 or the rules and policies of the council or committee. (See OAR 839-011-0078)

The program administered by this committee is a: JATC

(See ORS 660.135) or (ORS660.145)

The employer representatives shall be:
**(See attached committee list)**

The employee representatives shall be:
**(See attached committee list)**

XII. SUBCOMMITTEE:
Subcommittee(s) may be approved by the sponsor but may only recommend actions to the parent Committee.

XIII. TRAINING DIRECTOR/COORDINATOR/ADMINISTRATOR/CONTACT PERSON:
The Sponsor may employ a person(s) as a full or part-time Training Coordinator(s)/Training Director(s)/Administrator(s). This person(s) will assume responsibilities and authority for the operation of the program as are specifically delegated by the Sponsor.

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