



APPRENTICESHIP PROGRAM STANDARDS
adopted by

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

(sponsor name)

Occupational Objective(s):

SOC#

Term [WAC 296-05-315]

ASBESTOS WORKER

47-2132.00

10,000 HOURS



APPROVED BY
Washington State Apprenticeship and Training Council
REGISTERED WITH
Apprenticeship Section of Fraud Prevention and Labor Standards
Washington State Department Labor and Industries
Post Office Box 44530
Olympia, Washington 98504-4530

APPROVAL:

N/A
Provisional Registration

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By: DAVE D'HONDT
Chair of Council

By: ELIZABETH SMITH
Secretary of Council

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

INTRODUCTION

This document is an apprenticeship program standard. Apprenticeship program standards govern how an apprenticeship works and have specific requirements. This document will explain the requirements.

The director of the Department of Labor and Industries (L&I) appoints the Washington State Apprenticeship and Training Council (WSATC) to regulate apprenticeship program standards. The director appoints and deputizes an assistant director to be known as the supervisor of apprenticeship who oversees administrative functions through the apprenticeship section at the department.

The WSATC is the sole regulatory body for apprenticeship standards in Washington. It approves, administers, and enforces apprenticeship standards, and recognizes apprentices when either registered with L&I's apprenticeship section, or under the terms and conditions of a reciprocal agreement. WSATC also must approve any changes to apprenticeship program standards.

Apprenticeship programs have sponsors. A sponsor operates an apprenticeship program and declares their purpose and policy herein to establish an organized system of registered apprenticeship education and training. The sponsor recognizes WSATC authority to regulate and will submit a revision request to the WSATC when making changes to an apprenticeship program standard.

Apprenticeships are governed by federal law (29 U.S.C 50), federal regulations (29 CFR Part 29 & 30), state law (49.04 RCW) and administrative rules (WAC 296-05). These standards conform to all of the above and are read together with federal and state laws and rules

Standards are changed with WSATC approval. Changes are binding on apprentices, sponsors, training agents, and anyone else working under an agreement governed by the standards. Sponsors may have to maintain additional information as supplemental to these standards. When a standard is changed, sponsors are required to notify apprentices and training agents. If changes in federal or state law make any part of these standards illegal, the remaining parts are still valid and remain in force. Only the part made illegal by changes in law is invalid. L&I and the WSATC may cooperate to make corrections to the standards if necessary to administer the standards.

Sections of these standards identified as bold "**insert text**" fields are specific to the individual program standards and may be modified by a sponsor submitting a revised standard for approval by the WSATC. All other sections of these standards are boilerplate and may only be modified by the WSATC. See WAC 296-05-003 for the definitions necessary for use with these standards.

Sponsor Introductory Statement (Required):

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

The following Standards have been developed by the Western Insulation Contractors Association and the Asbestos Workers Local No. 7, and assisted by the Apprenticeship Section, Washington State Department of Labor and Industries.

I. GEOGRAPHIC AREA COVERED:

The sponsor must train inside the area covered by these standards. If the sponsor wants to train outside the area covered by these standards, the sponsor must enter a portability agreement with a sponsor outside the area, and provide evidence of such an agreement for compliance purposes. Portability agreements permit training agents to use apprentices outside the area covered by the standards. Portability agreements are governed by WAC 296-05-303(4)(g).

The area covered by these Standards shall be the counties of Chelan, Clallam, Douglas, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Whatcom and Yakima in the State of Washington. Rand and McNally's map shall be considered the official map of the trade.

II. MINIMUM QUALIFICATIONS:

Minimum qualifications must be clearly stated and applied in a nondiscriminatory manner [WAC 296-05-316(17)].

Age: **Minimum age of 18.**

Education: **None**

Physical: **Must be able to perform the work of the trade. Evidence of physical ability as evidenced by certification by a qualified doctor of medicine, including a drug screen test, provided at the expense of the applicant. A chest x-ray is recommended.**

Testing: **Each applicant will be required to submit to a test given by the Apprenticeship Committee. The test will consist of basic trade related math, the ability to read and follow directions and physical and manual skills. A passing grade will be 70% or more of available points. If the applicant does not achieve a passing grade no further processing will be done.**

Other: **a. Applicant must have current Washington State Driver's license.
b. Applicant must have social security number.
c. Applicant must have reliable transportation.**

**HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING
PROGRAM**

**III. CONDUCT OF PROGRAM UNDER WASHINGTON EQUAL EMPLOYMENT
OPPORTUNITY PLAN:**

Sponsors with five (5) or more apprentices must adopt an Equal Employment Opportunity (EEO) Plan and Selection Procedure (Part D of chapter 296-05 WAC and 29 CFR Part 30).

The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, sex, color, religion, creed, national origin, age, sexual orientation, marital status, veteran or military status, the presence of a disability or any other characteristic protected 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 Washington State Apprenticeship and Training Council.

A. Selection Procedures:

- 1. Information of apprenticeship openings shall be posted in the Seattle Asbestos Workers Apprenticeship Committee Office and disseminated in accordance with the Washington State Apprenticeship and Training Council Affirmative Action Plan.**
- 2. At least thirty (30) days prior to time of acceptance of applications and at least once annually, except in years when no applications are accepted, a notice shall be given to the proper agencies, in accordance with the Washington State Apprenticeship and Training Council Affirmative Action Plan, that acceptance of applications will begin.**
- 3. Applications, when available, shall be provided by the Seattle Asbestos Workers Apprenticeship Committee and may be obtained at the Apprenticeship and Training office during regular business hours. Completed applications must be returned to the Apprenticeship Committee Office within fourteen (14) calendar days of original receipt.**
- 4. Prior to filing of an application, proof of qualifications as listed in Section 2 (Minimum Qualifications) above must be furnished by applicant.**
- 5. Applicants who have met all the conditions previously stated will be notified in writing the time and date to report for further processing and the interview, which will be conducted by the Apprenticeship and Training Committee.**
- 6. Selection of qualified applicants shall be in descending order of ranking.**
- 7. At its option, the Apprenticeship Committee will interview existing applicants as well as interview new applicants to determine ranking order and purge the active waiting list determine those who have a continuing interest in being**

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

considered for the apprenticeship program. Applicants will be notified by first class mail and will be given thirty (30) days to respond. The notice will state that if the applicant does not respond in writing or in person within the given times, the application will be withdrawn and placed in the dead file. Individuals wanting to be considered must reapply.

8. **The applicant, in person or in writing, must keep the Apprenticeship Committee informed of their current address.**
9. **There will be no discrimination in apprenticeship or employment during apprenticeship after selections have been made, including but not limited to job assignment, lay-off, termination, rates of pay or other forms of compensation, or conditions of work. All apprentices employed shall be subject to the same job performance requirements.**

B. Equal Employment Opportunity Plan:

1. **Participation in annual workshops, if available, designed to familiarize all concerned with the apprenticeship system and current opportunities.**
2. **Cooperate with school boards, community colleges, and vocational schools to develop programs, which prepare students for entrance into apprenticeship.**
3. **Disseminate information, within shops or concerns, concerning equal opportunity policies of the program's sponsor(s).**
4. **To encourage establishment and use of pre-apprenticeship preparatory trade training and to provide that those who engage in such programs are given full and equal opportunity for admission into the apprenticeship program.**
5. **Use minority and women (minority and non-minority) journey-level workers and apprentices to promote the affirmative action program.**
6. **Selection from lists of qualified applicants for apprenticeship, in other than order of ranking, so as to reach women (minority and non-minority) or minorities. To also grant credit for previous trade experience or trade-related courses for all applicants equally. To also allow hiring of applicants in the area of local hire requirements in distressed areas.**

C. Discrimination Complaints:

Any apprentice or applicant for apprenticeship who believes they have been discriminated against may file a complaint with the supervisor of apprenticeship (WAC 296-05-443).

IV. TERM OF APPRENTICESHIP:

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

The term of apprenticeship for an individual apprentice may be measured through the completion of the industry standard for on-the-job learning (at least two thousand hours) (time-based approach), the attainment of competency (competency-based approach), or a blend of the time-based and competency-based approaches (hybrid approach) [WAC 296-05-315].

The term of apprenticeship shall be at least five (5) years or 10,000 hours of reasonably continuous employment.

See Section 10, Administrative/Disciplinary Procedures.

V. INITIAL PROBATIONARY PERIOD:

An initial probationary period applies to all apprentices, unless the apprentice has transferred from another program. During an initial probationary period, an apprentice can be discharged without appeal rights. An initial probationary period is stated in hours or competency steps of employment. The initial probationary period is not reduced by advanced credit or standing. During an initial probationary period, apprentices receive full credit for hours and competency steps toward completion of their apprenticeship. Transferred apprentices are not subject to additional initial probationary periods [WAC 296-05-003].

The initial probationary period is [WAC 296-05-316(22)]:

- A. the period following the apprentice's registration into the program. An initial probationary period must not be longer than twenty percent of the term of the entire apprenticeship, or longer than a year from the date the apprenticeship is registered. The WSATC can grant exemptions for longer initial probationary periods if required by law.
- B. the period in which the WSATC or the supervisor of apprenticeship may terminate an apprenticeship agreement at the written request by any affected party. The sponsor or the apprentice may terminate the agreement without a hearing or stated cause. An appeal process is not available to apprentices in their initial probationary period.

Apprentices shall be subject to a probationary period not to exceed the first 2000 hours of reasonably continuous employment.

VI. RATIO OF APPRENTICES TO JOURNEY LEVEL WORKERS

Supervision is the necessary education, assistance, and control provided by a journey-level employee on the same job site at least seventy-five percent of each working day, unless otherwise approved by the WSATC. Sponsors ensure apprentices are supervised by competent, qualified journey-level employees. Journey level-employees are responsible for

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

the work apprentices perform, in order to promote the safety, health, and education of the apprentice.

- A. The journey-level employee must be of the same apprenticeable occupation as the apprentice they are supervising unless otherwise allowed by the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC) and approved by the WSATC.
- B. The numeric ratio of apprentices to journey-level employees may not exceed one apprentice per journey-level worker [WAC 296-05-316(5)].
- C. Apprentices will work the same hours as journey-level workers, except when such hours may interfere with related/supplemental instruction.
- D. Any variance to the rules and/or policies stated in this section must be approved by the WSATC.
- E. The ratio must be described in a specific and clear manner, as to the application in terms of job site, work group, department or plant:

The ratio of apprentices shall equal a minimum ratio of one (1) apprentice to three (3) Local #7 or journey-level workers mechanics employed in each shop.

VII. APPRENTICE WAGES AND WAGE PROGRESSION:

- A. Apprentices must be paid at least Washington's minimum wage, unless a local ordinance or a collective bargaining agreement require a higher wage. Apprentices must be paid according to a progressively increasing wage scale. The wage scale for apprentices is based on the specified journey-level wage for their occupation. Wage increases are based on hours worked or competencies attained. The sponsor determines wage increases. Sponsors must submit the journey-level wage at least annually or whenever changed to the department as an addendum to these standards. Journey-level wage reports may be submitted on a form provided by the department. Apprentices and others should contact the sponsor or the Department for the most recent Journey-level wage rate.
- B. Sponsors can grant advanced standing, and grant a wage increase, when apprentices demonstrate abilities and mastery of their occupation. When advanced standing is granted, the sponsor notifies the employer/training agent of the wage increase the apprenticeship program standard requires.

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

C. Wage Progression Schedules OR **Insert Occupational Name**

Step	Hour Range or competency step	Percentage of journey-level wage rate*
1st year		45%
2nd year		55%
3rd year		65%
4th year		75%
5th year		85%

Fringe rates and wages shall be paid as a percentage of the Base journeymen Wage Rate that has the lowest benefit contribution and thus the highest on the check amount. This calculated Journey-Level Wage Rate will be submitted to the Department annually or as changed.

For clarification of the preceding: First, second, third, fourth and fifth year rank or advancement of the apprentice and is not intended to mean specific measure of time involved.

No apprentice shall be paid more than the wage rate (including vacation) applicable to his/her rank in the trade.

VIII. WORK PROCESSES:

The apprentice shall receive on the job instruction and work experience as is necessary to become a qualified journey-level worker versed in the theory and practice of the occupation covered by these standards. The following is a condensed schedule of work experience, which every apprentice shall follow as closely as conditions will permit. The following work process descriptions pertain to the occupation being defined.

- A. To prevent accidents and to observe the state safety law and orders of the Division of Industrial Safety applying to the industry and orders of industry, each employer will provide necessary safety training for each apprentice prior to the apprentice's use or operation of any equipment and to the performance on any job operation. This on-the-job training in safe practices will be supplemented in the related instruction.**
- B. The employer will cooperate with the Apprenticeship Committee as appropriate in their function of providing for first-aid training of apprentices.**
- C. The major work processes in which the apprentices will be trained will include preparation, alteration, application, erection, assembling, molding praying, pouring, mixing, hanging, adjusting, repairing, dismantling, removing, reconditioning, maintenance, finishing, and/or weatherproofing of hot or cold**

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

surfaces with such materials as may be specified, when those materials are to be installed for the purpose of thermal insulation in voids or to create voids on either piping, fittings, valves, boilers, ducts, flues, tanks, vats, equipment or on any hot or cold surfaces for the purposes of thermal control or to be installed for sound control purposes on mechanical devices, equipment, piping, surfaces related in an integral way to the insulation of such mechanical devices, equipment and piping. This work also includes the handling and distribution of thermal insulation materials on the job site. Although not necessarily in the order listed, the approximate hours, not necessarily continuous, to be spent on each area as are follows:

D. Asbestos Worker: Approximate Hours

APPLICATION OF INSULATION MATERIALS AND THEIR FINISHES

1. Commercial	2700	
Plumbing-Heating-Air Conditioning (Ducts covering and linings including plenums). Fire stops and Fire proofing penetrations.		
2. Industrial and Process Plant	2850	
Piping, vessels, equipment, etc. (Breechings, boilers, hoppers, pumps, storage tanks, etc.) Fire stops and Fire proofing penetrations.		
3. Refrigeration and Low Temperature	1400	
(Piping, equipment, vessels and tanks, etc.)		
4. Ship and Marine Work.....	2240	
(Piping, equipment, intakes, exhausts, heat exchangers, conditional air ducts, potable water, salt water flushing)		
5. Prefabrication.....	800	
(Fittings, heads, pads, thermal tapes, miters, layouts, and rolled materials)		
6. Asbestos Awareness and Safety Training	10	
TOTAL HOURS:		10,000

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

IX. RELATED/SUPPLEMENTAL INSTRUCTION:

The apprentice must attend related/supplemental instruction (RSI). Time spent in RSI shall not be considered as hours of work and the apprentice is not required to be paid.

RSI must be provided in safe and healthy conditions as required by the Washington Industrial Safety and Health Act and applicable federal and state regulations.

Hours spent in RSI are reported to L&I each quarter. Reports must show which hours are unpaid and supervised by a competent instructor versus all other hours (paid and/or unsupervised) for industrial insurance purposes.

For purposes of coverage under the Industrial Insurance Act, the WSATC is an employer and the apprentice is an employee when an unpaid, supervised apprentice is injured while under the direction of a competent instructor and participating in RSI activities.

If apprentices do not attend required RSI, they may be subject to disciplinary action by the sponsor.

A. The methods of related/supplemental training must be indicated below (check those that apply):

Supervised field trips

Sponsor approved training seminars (specify): **Various JATC approved training seminars including, but not limited to, OSHA 10, OSHA 30, and manufacturer specific training**

Sponsor approved online or distance learning courses (specify): **International Association of Heat Frost Insulators & Allied Workers Online Training System**

State Community/Technical college

Private Technical/Vocational college

Sponsor Provided (lab/classroom)

Other (specify): **Asbestos Awareness Training**

B. **160** Minimum RSI hours per year defined per the following (see WAC 296-05-316(6)):

Twelve-month period from date of registration.*

Defined twelve-month school year: (insert month) through (insert month).

Two-thousand hours of on the job training.

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

**If no selection is indicated above, the WSATC will define RSI hours per twelve-month period from date of registration.*

C. Additional Information:

1. **A monthly attendance and progress report to the Apprenticeship Committee shall be made by the instructor.**
2. **Satisfactory progress must be maintained in related training classes. Satisfactory progress will be defined as the accumulation of all necessary related instruction hours, a passing grade of 70% or better of possible points on all tests, quizzes and required assignments completed, as well as a complete and up to date JATC issued log book. Failure to maintain satisfactory progress, as defined above will result in one or more of the following disciplinary actions:**
 - a. **Delay before advancement to the next wage progression.**
 - b. **Citation for cause for failure to maintain satisfactory progress as outlined above.**
 - c. **Additional hours of related instruction added to the term of apprenticeship.**
 - d. **Cancellation of the apprenticeship agreement.**
3. **The Apprenticeship Committee recommends that courses for asbestos workers be limited to those who are actually apprentices in the asbestos workers trade in accordance with these Standards.**

X. ADMINISTRATIVE/DISCIPLINARY PROCEDURES:

A. Administrative Procedures:

The sponsor may include in this section a summary and explanation of administrative actions performed at the request or on the behalf of the apprentice. Such actions may include but are not limited to:

1. **Voluntary Suspension:** A temporary interruption in progress of an individual's apprenticeship agreement at the request of the apprentice and granted by the sponsor. The program sponsor shall review apprentices in suspended status at least once each year to determine if the suspension is still appropriate.
2. **Advanced Standing or Credit:** The sponsor may provide for advanced standing or credit for demonstrated competency, acquired experience, training or education in or related to the occupation. All sponsors need to ensure a fair and equitable process is applied to all apprentices seeking advanced standing or credit per WAC 296-05-316 (11).

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

3. Sponsor Procedures:

1. **To review the progress of each apprentice, all parties participating under the Standards may be asked for a report of each apprentice. Apprentices will be reviewed each month during the first year, quarterly during their second year, and every six months thereafter.**
2. **Apprentices shall not be arbitrarily moved from one (1) employer to another unless it is to balance the ratio of mechanics to apprentices (3 to 1) without prior notification to the Apprenticeship Coordinator, or to the Apprenticeship Committee if the coordinator is not available.**
3. **Each individual apprentice will be judged on his/her own merit.**
4. **Each apprentice employed under these Standards is required to apply themselves with diligence and care to the various tasks assigned to them, to protect the property and interests of their employer in a proper manner, to respect and obey rules of the firm, and to conduct themselves at all times in a creditable manner, realizing that much time, money and effort are expended in affording them the opportunity to become a skilled craftsman.**
5. **Apprentices shall be rotated among employers once yearly unless it is determined by the JATC Coordinator that an apprentice is receiving sufficiently broad field training with an individual employer.**
6. **No apprentice enrolled in this program shall be eligible to sit as a member of the Apprenticeship Committee.**
7. **Allowance may be made for time off due to illness, vacation, seasonal and economic conditions affecting the availability of work as otherwise noted under the work processes schedule. No consideration shall be given to extended periods of interruptions in the work experience for personal or artificial reasons. Two thousand (2000) hours of work continuous employment in a twelve-month continuous period shall be considered reasonably continuous employment. However, the Apprenticeship Committee may, by special consideration, allow progress to the next year of advancement at the end of the apprentice's current twelve-month period if a minimum of 1600 hours of work has been accumulated within that period. An apprentice shall be considered to be available for work during the time from union dispatch until termination by the employer. During the period in which the apprentice is available for work, a minimum of 80% of the available hours must be worked or the apprentice will be called before the Apprenticeship Committee, which may result in Apprenticeship Agreement cancellation.**
8. **High School Graduate or equivalent will be required prior to completion of the apprenticeship.**

**HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING
PROGRAM**

9. **An examination of the apprentice shall be given each year by the rate of pay. In these examinations, the scheduled increase in the Apprenticeship Committee to determine his/her eligibility to receive consideration shall be given to school attendance, progress, and daily employment record of the apprentice.**

10. **It will be the responsibility of each apprentice to notify his/her employer and the Apprenticeship Committee two (2) weeks prior to taking a vacation. Each apprentice will be allowed only one absence, for vacation, from related classes during the regular school year.**

11. **Local Apprenticeship Committee Policies**
 - a. **Safety Policy**

 - b. **Alcohol and Controlled Substances Policy**

 - c. **Employee Safety Responsibilities Policy**

 - d. **General and Job Specific Safety Rules Policy**

 - e. **Emergency Procedures**

 - f. **Personal Protective Equipment Requirements**

 - g. **Hazard Communication Training Policy**

 - h. **Return to Work and Training Policy**

 - i. **Accident Prevention Plan & Policy**

B. Disciplinary Procedures

1. The obligations of the sponsor when taking disciplinary action are as follows:
 - a. The sponsor shall be responsible for enacting reasonable policies and procedures and applying them consistently. The sponsor will inform all apprentices of their rights and responsibilities per these standards.

 - b. The sponsor shall notify the apprentice of intent to take disciplinary action and reasons therefore 20 calendar days prior to taking such action. The reason(s) supporting the sponsor's proposed action(s) must be sent in writing to the apprentice.

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

- c. The sponsor must clearly identify the potential outcomes of disciplinary action, which may include but are not limited to discipline, suspension or cancellation of the apprenticeship agreement.
 - d. The decision/action of the sponsor will become effective immediately.
2. The sponsor may include in this section requirements and expectations of the apprentices and an explanation of disciplinary actions imposed for noncompliance. The sponsor has the following disciplinary procedures to adopt:
- a. Disciplinary Probation: A time assessed when the apprentice's progress is not satisfactory. During this time the sponsor may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take further disciplinary action. A disciplinary probation may only be assessed after the initial probation is complete.
 - b. Disciplinary Suspension: A temporary interruption in the progress of an individual's apprenticeship agreement. Conditions will include not being allowed to participate in On-the-Job Training (OJT), go to Related Supplemental Instruction (RSI) classes or take part in any activity related to the Apprenticeship Program until such time as the sponsor takes further action. The program sponsor shall review apprentices in such status at least once each year.
 - c. Cancellation: Refers to the termination of an apprenticeship agreement at the request of the apprentice, supervisor, or sponsor. [WAC 296-05-003].
3. Sponsor Disciplinary Procedures:

1. **All Apprentices are required to accept union dispatch to any employment under the appropriate bargaining agreement covering such employment. If dispatch is not accepted, the apprentice will be called before the Apprenticeship Committee, which may result in Apprenticeship Agreement cancellation.**

Any apprentice employed by a signatory employer shall not voluntarily quit that employer. A violation of this Standard may result in apprenticeship agreement cancellation or citation for cause.

2. **Any apprentice called before the Apprenticeship Committee three (3) times for cause and found in violation of the Standards will be given a strike for cause for each violation after the third strike for cause face cancellation of his/her apprenticeship.**
3. **If any apprentice fails (defined as less than 70% of possible points) the same examination, excluding a year end test or a journey-level exam, three (3) times, given at intervals of not less than seven (7) days and not greater than**

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

thirty (30) days, he/she will face cancellation of his/her apprenticeship. If any apprentice fails a year end test or journey-level exam he/she will have an additional 72 hours of related supplemental instruction to complete, over a period of not less than six (6) months before he/she can qualify for a retake of that same exam and/or qualify for advancement to the next wage progression.

4. The apprentice must notify the Apprenticeship Committee office in writing, within seven (7) calendar days, of any school absence stating the reason for absence. Failure to do so will result in an automatic unexcused absence. An unexcused absence will mean that a one (1) calendar month extension will be added to the apprentice's next advancement after all other requirements have been met. When written communication is received from an apprentice in a timely manner as prescribed above concerning a school absence, the Apprenticeship Committee will examine the excuse at their next regular meeting to determine validity. If the excuse is found to be valid, a make-up class will be assigned and only that class will be considered a makeup. Make-up classes will be predetermined at the beginning of each school year not to exceed a maximum of two (2) per year for reasonable excuse, and up to three (3) additional for work purposes only. If the excuse examined is found to be invalid, it will be considered unexcused and treated as such. More than one unexcused absence during a school year will be adequate reason for the Apprenticeship Committee to request the apprentice to appear before the Apprenticeship Committee for disciplinary action.
5. Tardiness to class-related training will not be tolerated and apprentices may be called before the Apprenticeship Committee for cause.
6. Any apprentice who is extended by the Apprenticeship Committee will be required to attend class-related instruction during the extension.

C. Apprentice Complaint Procedures:

1. The apprentice must complete his/her initial probationary period in order to be eligible to file a complaint. 296-05-316(22)
2. Complaints involving matters covered by a collective bargaining agreement are not subject to the complaint procedures in this section.
3. Complaints regarding non-disciplinary matters must be filed with the program sponsor within 30 calendar days from the date of the last occurrence. Complaints must be in writing.
4. If the apprentice disagrees with the resolution of the complaint or wishes to contest the outcome of a disciplinary action by the program sponsor, the apprentice must file

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

a written request for reconsideration with the program sponsor within 30 calendar days from the date the apprentice received written notice of action by the program sponsor.

5. The program sponsor must reply, in writing, to the request for reconsideration within 30 calendar days from the date the program sponsor receives the request. The program sponsor must send a copy of the written reply to the apprentice within the 30 calendar days.
6. If the apprentice disagrees with the program sponsor's decision, the apprentice may file an appeal with the Apprenticeship Program, (WAC 296-05-009). If the apprentice does not timely file an appeal, the decision of the program sponsor is final after 30 calendar days from the date the program sponsor mails the decision to the apprentice. See section "D" below.

D. Apprentice Complaint Review/Appeals Procedures:

1. If the apprentice disagrees with the program sponsor's decision, the apprentice must submit a written appeal to L&I's apprenticeship section within 30 calendar days from the date the decision is mailed by the program sponsor. Appeals must describe the subject matter in detail and include a copy of the program sponsor's decision.
2. The L&I apprenticeship section will complete its investigation within 30 business days from the date the appeal is received and attempt to resolve the matter.
3. If the Apprenticeship section is unable to resolve the matter within 30 business days, the Apprenticeship section issues a written decision resolving the appeal.
4. If the apprentice or sponsor is dissatisfied with L&I's decision, either party may request the WSATC review the decision. Requests for review to the WSATC must be in writing. Requests for review must be filed within 30 calendar days from the date the decision is mailed to the parties.
5. The WSATC will conduct an informal hearing to consider the request for review.
6. The WSATC will issue a written decision resolving the request for review. All parties will receive a copy of the WSATC's written decision.

XI. SPONSOR – RESPONSIBILITIES AND GOVERNING STRUCTURE

The following is an overview of the requirements associated with administering an apprenticeship program. These provisions are to be used with the corresponding RCW and/or WAC. The sponsor is the policymaking and administrative body responsible for the operation and success of this apprenticeship program. The sponsor may assign an administrator or a committee to be responsible for day-to-day operations of the

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

apprenticeship program. Administrators and/or committee members must be knowledgeable in the process of apprenticeship and/or the application of chapter 49.04 RCW and chapter 296-05 WAC and these standards. If applicable, sponsors must develop procedures for:

A. Committee Operations (WAC 296-05-316): (Not applicable for Plant Programs)

Apprenticeship committees must be composed of an equal number of management and non-management representatives from a minimum of four to a maximum of twelve members. Committees must convene meetings at least three times per year attended by a quorum of committee members as defined in these approved standards.

B. Program Operations (Chapter 296-05 WAC - Part C & D):

The sponsor will record and maintain records pertaining to the administration of the apprenticeship program and make them available to the WSATC or Department upon request. Records required by WAC 296-05-400 through 455 (see Part D of chapter 296-05 WAC) will be maintained for five (5) years; all other records will be maintained for three (3) years. Apprenticeship sponsors will submit required forms/reports to the Department of Labor and Industries through one of the two prescribed methods below:

Sponsors shall submit required forms/reports through assigned state apprenticeship consultant.

Or;

Sponsors shall submit required forms/reports through the Apprentice Registration and Tracking System (ARTS), accessed through Secure Access Washington (SAW).

Paper forms as well as ARTS external access forms are available from the sponsor's assigned apprenticeship consultant or online at:

<http://www.lni.wa.gov/TradesLicensing/Apprenticeship/FormPub/default.asp>.

1. The following is a listing of forms/reports for the administration of apprenticeship programs and the time-frames in which they must be submitted:
 - a. Apprenticeship Agreements – within first 30 days of employment
 - b. Authorization of Signature forms - as necessary
 - c. Approved Training Agent Agreements– within 30 days of sponsor action
 - d. Minutes of Apprenticeship Committee Meetings – within 30 days of sponsor approval (not required for Plant program)
 - e. Request for Change of Status - Apprenticeship/Training Agreement and Training Agents forms – within 30 days of action by sponsor.
 - f. Journey Level Wage Rate – annually, or whenever changed as an addendum to section VII. Apprentice Wages and Wage Progression.
 - g. Related Supplemental Instruction (RSI) Hours Reports (Quarterly):
 - 1st quarter: January through March, due by April 10
 - 2nd quarter: April through June, due by July 10

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

3rd quarter: July through September, due by October 10

4th quarter: October through December, due by January 10

- h. On-the-Job Work Hours Reports (bi-annual)
 - 1st half: January through June, by July 30
 - 2nd half: July through December, by January 31

- 2. The program sponsor will adopt, as necessary, local program rules or policies to administer the apprenticeship program in compliance with these standards. Requests for revision to these standards of apprenticeship must be submitted 45 calendar days prior to a quarterly WSATC meeting. The Department of Labor and Industries, Apprenticeship Section's manager may administratively approve requests for revisions in the following areas of the standards:
 - a. Program name
 - b. Sponsor's introductory statement
 - c. Section III: Conduct of Program Under Washington Equal Employment Opportunity Plan
 - d. Section VII: Apprentice Wages and Wage Progression
 - e. Section IX: Related/Supplemental Instruction
 - f. Section XI: Sponsor – Responsibilities and Governing Structure
 - g. Section XII: Subcommittees
 - h. Section XIII: Training Director/Coordinator

- 3. The sponsor will utilize competent instructors as defined in WAC 296-05-003 for RSI. Furthermore, the sponsor will ensure each instructor has training in teaching techniques and adult learning styles, which may occur before or within one year after the apprenticeship instructor has started to provide instruction.

C. Management of Apprentices:

- 1. 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 Department before the apprentice attends RSI classes, or within the first 30 days of employment as an apprentice. For the purposes of industrial insurance coverage and prevailing wage exemption under RCW 39.12.021, the effective date of registration will be the date the agreement is received by the Department.

- 2. The sponsor must notify the Department within 30 days of all requests for disposition or modification to apprentice agreements, which may include:
 - a) Certificate of completion
 - b) Additional credit
 - c) Suspension (i.e. military service or other)
 - d) Reinstatement
 - e) Cancellation
 - f) Corrections
 - g) Step Upgrades

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

- h) Probation Completion date
 - i) Other (i.e., name changes, address)
 - j) Training Agent Cancellation
3. The sponsor commits to rotate apprentices in the various processes of the skilled occupation to ensure the apprentice is trained to be a competent journey-level worker.
 4. The sponsor shall periodically review and evaluate apprentices before advancement to the apprentice's next wage progression period. The evidence of such advancement will be the record of the apprentice's progress on the job and during related/supplemental instruction.
 5. The sponsor has the obligation and responsibility to provide, insofar as possible, reasonably continuous employment for all apprentices in the program. The sponsor may arrange to transfer an apprentice from one training agent to another or to another program when the sponsor 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 these standards. The new training agent will assume all the terms and conditions of these standards. If, for any reason, a layoff of an apprentice occurs, the apprenticeship agreement will remain in effect unless canceled by the sponsor.
 6. An apprentice who is unable to perform the on-the-job portion of apprenticeship training may, if the apprentice so requests and the sponsor approves, participate in related/supplemental instruction, subject to the apprentice obtaining and providing to the sponsor written requested document/s for such participation. However, time spent will not be applied toward the on-the-job portion of apprenticeship training.
 7. The sponsor shall hear and decide all complaints of violations of apprenticeship agreements.
 8. Upon successful completion of apprenticeship, as provided in these standards, and passing the examination that the sponsor may require, the sponsor will recommend the WSATC award a Certificate of Completion of Apprenticeship. The sponsor will make an official presentation to the apprentice who has successfully completed his/her term of apprenticeship.

D. Training Agent Management:

1. The sponsor shall offer training opportunities for apprentices by ensuring reasonable and equal working and training conditions are applied uniformly to all apprentices. The sponsor shall provide training at an equivalent cost to that paid by other employers and apprentices participating in the program. The sponsor shall not require an employer to sign a collective bargaining agreement as a condition of participation.

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

2. The sponsor must determine whether an employer can adequately furnish proper on the job training to an apprentice in accordance with these standards. The sponsor must also require any employer requesting approved training status to complete an approved training agent agreement and to comply with all federal and state apprenticeship laws, and these standards.
3. The sponsor will submit training agent agreements to the Department with a copy of the agreement and/or the list of approved training agents within thirty calendar days from the effective date. Additionally, the sponsor must submit rescinded training agent agreements to the Department within thirty calendar days of said action.

E. Committee governance (if applicable): (see WAC 296-05-313)

1. Apprenticeship committees shall elect a chairperson and a secretary who shall be from opposite interest groups, i.e., chairperson-employers; secretary-employees, or vice versa. If the committee does not indicate its definition of quorum, the interpretation will be “50% plus 1” of the approved committee members. The sponsor must also provide the following information:

The Heat and Frost Insulator Workers Joint Apprenticeship Training Program shall be composed of three (3) members representing Washington Chapter Associated Insulation Contractors of Western States and three (3) members representing International Association of Heat and Frost Insulators and Asbestos Workers Local No. 7, Seattle and Tacoma, Washington.

- a. Quorum: **SEE ABOVE**
- b. Program type administered by the committee: **GROUP JOINT**
- c. The employer representatives shall be:

**John Hernandez, Chairman
Hudson Bay
PO Box 80424
Seattle, WA 98108**

**Rian Davis
PCI
422 South Forrest Street
Seattle, WA 98134**

**Tim Hoey
D&G
PO Box 1330
Sumner, WA 98390**

**Kevin Flanigan, Alternate
PCI
422 S Forest St
Seattle, WA 98134**

HEAT AND FROST INSULATOR WORKERS JOINT APPRENTICESHIP TRAINING PROGRAM

d. The employee representatives shall be:

Greg Bowers, Secretary
37185 26th Drive South
Federal Way, WA 98003

Sean Coulter
7020 East Polk Ave
Port Orchard, WA 98366

Mike Nettekoven
1204 30th Street NE
Auburn, WA 98002

Todd Mitchell, Alternate
14675 Interurban Ave. S.
Tukwila, WA 98168

F. Plant programs

For plant programs the WSATC or the Department designee will act as the apprentice representative. Plant programs shall designate an administrator(s) knowledgeable in the process of apprenticeship and/or the application of chapter 49.04 RCW and chapter 296-05 WAC and these standards.

The designated administrator(s) for this program is/are as follows:

N/A

XII. SUBCOMMITTEE:

Subcommittee(s) approved by the Department, represented equally from management and non-management, may also be established under these standards, and are subject to the main committee. All actions of the subcommittee(s) must be reviewed by the main committee. Subcommittees authorized to upgrade apprentices and/or conduct disciplinary actions must be structured according to the same requirements for main committees.

NONE

XIII. TRAINING DIRECTOR/COORDINATOR:

The sponsor may employ a person(s) as a full or part-time training coordinator(s)/ training director(s). This person(s) will assume responsibilities and authority for the operation of the program as are delegated by the sponsor.

Douglas B. Steinmetzer
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