



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 09-19-123; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: Chapter 296-05 WAC, Apprenticeship Rules

Hearing location(s):

See Attachment 1.

Date: _____ Time: _____

Submit written comments to:

Name: Sally Elliott
Address: Post Office Box 44400
Olympia, Washington 98504-4400
e-mail: yous235@lni.wa.gov
fax: (360) 902-5292 by January 31, 2011

Assistance for persons with disabilities: Contact Sally Elliott at (360) 902-6411 or yous235@lni.wa.gov by January 10, 2010.

Date of intended adoption: May 3, 2011

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: On December 29, 2008, the U.S. Department of Labor for the Apprenticeship Programs, Labor Standards for Registration, published the final rules to 29 CFR Part 29. The department is required to adopt changes to the Washington State rules to be in compliance with the new federal rules. The department worked with the subcommittee, appointed by Washington State Apprenticeship and Training Council and included representation from business and labor, and other interested parties to draft amendments to the Apprenticeship rules.

In addition, the rulemaking reviewed Initiative 937, which established an incentive to utilize state registered apprentices when entities construct/build renewable energy projects. The Washington State Apprenticeship & Training Council, under I-937, is tasked with setting the level of apprentice utilization for such projects and verifying that such levels are achieved through a review process. With the growing emphasis on renewable energy resources, the rules are being amended to outline the processes and procedures through which entities can obtain certification of apprentice utilization.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 49.04 RCW and RCW 19.285.040

Statute being implemented: Chapter 49.04 RCW and RCW 19.285.040

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 13, 2010

TIME: 2:27 PM

WSR 11-01-082

DATE
December 13, 2010

NAME (type or print)
Dave D'Hondt

SIGNATURE

TITLE
Chair of the Washington State Apprenticeship and Training Council

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

NA

Name of proponent: (person or organization)

Department of Labor and Industries

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Melinda Nichols	Tumwater, Washington	(360) 902-5321
Implementation... Steve McLain	Tumwater, Washington	(360) 902-6348
Enforcement..... Steve McLain	Tumwater, Washington	(360) 902-6348

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The proposed rule changes clarify language of the current rule without changing its effect; incorporate without material change federal regulations, and the contents of some changes are explicitly and specifically dictated by statute. Therefore, the department is exempt from conducting SBEIS under RCW 19.85.025(3) referencing RCW 34.05.310(4)(c),(d) and (e).

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The proposed rule changes clarify language of the current rule without changing its effect; incorporate without material change federal regulations, and the contents of some changes are explicitly and specifically dictated by statute. Therefore, the department is exempt from conducting CBA under RCW 34.05.328(5)(b)(iii),(iv) and (v).

Attachment 1 – Apprenticeship Public Hearings

Date: January 26, 2011
Time: 10:00 a.m.
Location: Department of Labor and Industries, Spokane Service Location
901 N Monroe Street, Suite 100
Spokane, Washington

Date: January 31, 2011
Time: 9:00 a.m.
Location: Department of Labor and Industries, Tukwila Service Location
12806 Gateway Drive
Tukwila, Washington 98168