



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) December 31, 2011 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Engrossed Substitute Senate Bill 5873, which passed the 2009 Legislature, requires the Apprenticeship Program to adopt rules regarding penalties for contractors found to be working apprentices out of ratio, with inappropriate supervision, or outside their work process scope of the approved Apprenticeship Program standards. Contractors who are found out of compliance in any of these areas by the Washington State Apprenticeship and Training Council (WSATC) may have their responsible bidder status revoked for the first violation and be barred from bidding on any public works contract for five years upon the second violation.

Citation of existing rules affected by this order:

Repealed:
Amended:
Suspended:

Statutory authority for adoption: Chapter 49.04 RCW, RCW 19.285.040, and Chapter 197, Laws of 2009 (Engrossed Substitute Senate Bill 5873)

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-16-084 on August 2, 2011.
Describe any changes other than editing from proposed to adopted version: Based upon comments received during the public hearing process, the department amended the proposed rules by shortening the length of time to process complaints against the training agent who violates apprenticeship standards.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: na

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: November 22, 2011

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: November 22, 2011
TIME: 9:03 AM
WSR 11-23-138

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>1</u>	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>1</u>	Amended	_____	Repealed	_____