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December 2, 2019

**VIA E-MAIL AND U.S. MAIL**

Supervisor of Apprenticeship  
Washington State Department of Labor & Industries  
PO Box 44530  
Olympia, WA 98504-4530

**Re: Request for Reciprocal Recognition for Apprenticeship Program of JVIC, LLC.**

Dear Supervisor:

Please consider this letter and the accompanying materials as a request for reciprocal recognition pursuant to WAC 296-05-011(3) for the apprenticeship program offered by JVIC, LLC (the "Company"). That apprenticeship program (the "Program"), ID No. CA002157873, was approved by the U.S. Department of Labor on October 23, 2015. Please be advised that I have been specifically authorized by the Company to serve as an authorized signer for this request. We request that this reciprocal recognition begin as soon as possible, and extend for the maximum period for which such recognition is offered.

A copy of the current program standards is attached. Please note this document includes the RSI plan, as well as the Company's equal employment opportunity plan. Also attached are the "Responses to Issues Identified by the Washington State Department of Labor & Industries" (the "Responses"). Technical Specialist Patrick M. Martin has graciously reviewed the Program and identified several questions or topics to be specifically addressed. As a consequence, the Responses should be considered an integral part of this request.

As called for by WAC 296-05-011(3)(c), the Company commits that it will, of course, fully comply with all Washington wage and hour laws for all work performed within the state.

Please do not hesitate to contact me if you have any questions or concerns. I look forward to working with you and your staff to promptly complete this reciprocal recognition process.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. J. O'Connell", with a stylized flourish at the end.

Timothy J. O'Connell

Cc: Patrick M. Martin

# STANDARDS OF APPRENTICESHIP

DEVELOPED BY



*TRAINING FOR THE OCCUPATIONS OF:*

## **PIPE FITTER**

(Petro-Chemical Hazardous Area worker)

O\*NET-SOC CODE: 47-2152.01 - RAPIDS CODE: 0414

## **WELDER**

(Petro-Chemical Hazardous Area worker)

O\*NET/SOC CODE: 51-4121.06 - RAPIDS CODE: 0627

## **BOILER MAKER**


(Petro-Chemical Hazardous Area worker)


O\*NET/SOC CODE: 47-2011.00 - RAPIDS CODE: 0040

APPROVED BY

U.S. DEPARTMENT OF LABOR  
Office of Apprenticeship



  
RICHARD DAVIS, CALIFORNIA STATE DIRECTOR  
U.S. DEPARTMENT OF LABOR, OFFICE OF APPRENTICESHIP  
SACRAMENTO, CALIFORNIA

 Program ID: CA002157873  
Date Approved: October 23, 2015

Recognized as part of the National Apprenticeship Program in accordance with the basic standards of apprenticeship established by the Secretary of Labor

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## FOREWORD

These **JV INDUSTRIAL COMPANIES, LTD.** Apprenticeship Standards have as their objective, the training of **PIPE FITTER, WELDER** and **BOILER MAKER** skilled in all phases of the industry. The Sponsor recognizes that in order to accomplish this, there must be well-developed on-the-job learning combined with related instruction.

This recognition has resulted in the development of these Standards of Apprenticeship. They were developed in accordance with the basic standards recommended by the U.S. Department of Labor, Office of Apprenticeship, as a basis from which the Sponsor can work to establish an apprenticeship training program that meets the particular needs of the area.



## **DEFINITIONS**

**APPRENTICE:** Any individual employed by the employer meeting the qualifications described in the Standards of Apprenticeship who has signed an Apprenticeship Agreement with the local Sponsor providing for training and related instruction under these Standards, and who is registered with the Registration Agency.

**APPRENTICE ELECTRONIC REGISTRATION (AER):** Is an electronic tool that allows for instantaneous transmission of apprentice data for more efficient registration of apprentices and provides Program Sponsors with a faster turnaround on their submissions and access to their apprenticeship program data.

**APPRENTICESHIP AGREEMENT:** The written agreement between the apprentice and the Sponsor setting forth the responsibilities and obligations of all parties to the Apprenticeship Agreement with respect to the Apprentice's employment and training under these Standards. Each Apprenticeship Agreement must be registered with the Registration Agency.

**APPRENTICESHIP COMMITTEE (COMMITTEE):** Apprenticeship Committee (Committee) means those persons designated by the sponsor to act as an agent for the sponsor in the administration of the program. A committee may be either joint or non joint as follows:

- (1) A joint committee is composed of an equal number of representatives of the employer(s) and of the employees represented by a bona fide collective bargaining agent(s).
- (2) A non-joint committee which may also be known as a unilateral or group non- joint (may include workers) committee has employer representatives but does not have a bone fide collective bargaining agent as a participant.

**CERTIFICATE OF COMPLETION OF APPRENTICESHIP:** The Certificate of Completion of Apprenticeship issued by the Registration Agency to those registered apprentices certified and documented as successfully completing the apprentice training requirements outlined in these Standards of Apprenticeship.

**ELECTRONIC MEDIA:** Media that utilize electronics or electromechanical energy for the end user (audience) to access the content; and includes, but is not limited to, electronic storage media, transmission media, the Internet, extranet, lease lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic media and/or interactive distance learning.

**EMPLOYER:** Means any person or organization employing an apprentice whether or not such person or organization is a party to an Apprenticeship Agreement with the apprentice.

**JOB CORPS CENTERS:** Any of the Federally-funded Job Corps Centers throughout the U.S. and Puerto Rico. Job Corps annually serves approximately 65,000 youth and young adults between

16-24 years of age. Sponsors who wish to hire Job Corps graduates trained in any occupation covered under these Standards, and who meets the minimum qualifications for apprenticeship, may do so via the *Direct Entry* provision described in *Appendix \_ Selection Procedures*. (if applicable)

**JOURNEYWORKER:** A worker who has attained a level of skill, abilities and competencies recognized within an industry as having mastered the skills and competencies required for the occupation. (Use of the term may also refer to a mentor, technician, specialist or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship or through practical on-the-job experience and formal training.)

**O\*NET-SOC CODE:** The Occupational Information Network (O\*NET) codes and titles are based on the new Standard Occupational Classification (SOC) system mandated by the federal Office of Management and Budget for use in collecting statistical information on occupations. The O\*NET classification uses an 8-digit O\*NET-SOC code. Use of the SOC classification as a basis for the O\*NET codes ensures that O\*NET information can be readily linked to labor market information such as occupational employment and wage data at the national, State, and local levels.

**ON-THE-JOB LEARNING (OJL):** Tasks learned on-the-job in which the apprentice must become proficient before a completion certificate is awarded. The learning must be through structured, supervised work experience.

**PROGRAM SPONSOR:** The Sponsor in whose name the Standards of Apprenticeship will be registered, and which will have the full responsibility for administration and operation of the apprenticeship program.

**PROVISIONAL REGISTRATION:** Means the 1-year initial provisional approval of newly registered programs that meet the required standards for program registration, after which program approval may be made permanent, continued as provisional, or rescinded following a review by the Registration Agency, as provided for in the criteria describe in §29.3 (g) and (h).

**REGISTERED APPRENTICESHIP PARTNERS INFORMATION DATA SYSTEM (RAPIDS):** The Federal system which provides for the automated collection, retention, updating, retrieval and summarization of information related to apprentices and apprenticeship programs.

**REGISTRATION AGENCY:** Means the U.S. Department of Labor, Office of Apprenticeship or a recognized State Apprenticeship Agency that has responsibility for registering apprenticeship programs and apprentices; providing technical assistance; conducting reviews for compliance with Title 29, CFR parts 29 and 30 and quality assurance assessments.

**RELATED INSTRUCTION:** An organized and systematic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom, through occupational or



industrial courses, or by correspondence courses of equivalent value, electronic media, or other forms of self-study approved by the Registration Agency.

**STANDARDS OF APPRENTICESHIP:** This entire document including all appendices and attachments hereto, and any future modifications or additions approved by the Registration Agency.

**SUPERVISOR OF APPRENTICE(S):** An individual designated by the program sponsor to supervise or have charge and direction of an apprentice.

**TIME-BASED OCCUPATION:** The time-based approach measures skill acquisition through the individual apprentice's completion of at least 2,000 hours of on-the-job learning as described in a work process schedule. *(if applicable)*

**TRANSFER:** A shift of apprenticeship agreement from one program to another or from one employer within a program to another employer within that same program, where there is agreement between the apprentice and the affected apprenticeship committee or program sponsor.

**YOUTHBUILD U.S.A.:** YouthBuild is a youth and community development program that simultaneously addresses core issues facing low-income communities: housing, education, employment, crime prevention, and leadership development. In YouthBuild programs, low-income young people ages 16-24 work toward their GED or high school diploma, learn job skills and serve their communities by building affordable housing, and transform their own lives and roles in society. *(if applicable)*

## **SECTION I – PROGRAM ADMINISTRATION**

Program Sponsors, at their discretion, may establish an Apprenticeship Training Committee (ATC) to carry out the responsibilities and duties required of a Program Sponsor as described in these Standards of Apprenticeship. If an ATC is established by the Program Sponsor, a list of the membership and the areas of expertise they represent must be provided to the Registration Agency. While the Office of Apprenticeship recommends that Program Sponsors utilize the services of an ATC, a sponsor may also elect to administer the program without the services of an ATC.

### **Structure of the Apprenticeship and Training Committee (ATC)**

- A. Members of the ATC will be selected by the groups they represent.
- B. Membership will be composed of representatives appointed by the Sponsor. A minimum of two members must be journeyworkers in one of the trades covered under this program.
- C. Technical Assistance - such as that from the U.S. Department of Labor, Office of Apprenticeship, State Apprenticeship Agencies, and vocational schools - may be requested to advise the ATC.

### **Administrative Procedures:**

- A. The ATC will elect a Chairperson and a Secretary, and will determine the time and place of regular meetings which will take place every ONE month.
- B. The Chairperson and Secretary will have the power to vote on all questions affecting apprenticeship.
- C. The Chairperson and Secretary should rotate among members of the ATC.

### **Responsibilities of the Apprenticeship and Training Committee:**

- A. Cooperate in the selection of apprentices as outlined in this program.
- B. Ensure that apprentices are under written Apprenticeship Agreements and register the local apprenticeship standards and agreements with the appropriate Registration Agency.
- C. Review and recommend apprenticeship activities in accordance with this program.
- D. Establish the minimum standards of education and experience required of apprentices.
- E. Meet at least every 3 months to review records and progress of each apprentice in training and recommend improvement or modification in training schedules,



schooling and other training activities. Written minutes of the meeting will be kept.

- F. Determine the quality and quantity of experience on the job which apprentices should have and to make every effort toward their obtaining it.
- G. Hear and resolve all complaints of violation of Apprenticeship Agreements.
- H. Arrange tests or evaluations for determining the apprentice's progress in manipulative skills and technical knowledge.
- I. Maintain a record of all apprentices, showing their education, experience, and progress in learning the occupation.
- J. Determine the physical fitness of qualified applicants to perform the work of the occupation that may require a medical examination prior to their employment as apprentices.
- K. Advise apprentices on the need for accident prevention and provide instruction with respect to safety in the workplace.
- L. Certify that apprentices have successfully completed their apprenticeship program.
- M. Notify the appropriate Registration Agency of all new apprentices to be registered, credit granted, suspensions for any reason, reinstatements, extensions, completions and cancellations with explanation of causes and notice of completions of Apprenticeship Agreements.
- N. Supervise all the provisions of the local standards and be responsible, in general, for the successful operation of the standards by performing the duties here listed by cooperating with public and private agencies which can be of assistance by obtaining publicity to develop public support of apprenticeship and by keeping in constant touch with all parties concerned; apprentices, employers and journeyworkers.
- O. Provide apprentices with a copy of the written rules and policies and the apprentice will sign an acknowledgment receipt of same. This procedure will be followed whenever revisions or modifications are made to the rules and policies.

## **SECTION II - EQUAL OPPORTUNITY PLEDGE – Title 29 CFR 29.5(b)(21) and 30.3(b)**

The recruitment, selection, employment, and training of apprentices during their apprenticeship, shall be without discrimination because of race, color, religion, national origin, or sex. The Sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations (CFR), part 30, as amended (insert state regulations here, if applicable).

**SECTION III - AFFIRMATIVE ACTION PLAN – Title 29 CFR 29.5(b)(21) and 30.4**

If the Sponsor employs five or more apprentices, the Sponsor will adopt an Affirmative Action Plan and Selection Procedures as required under Title 29, CFR part 30. It will be attached as Appendix C.

**SECTION IV- QUALIFICATIONS FOR APPRENTICESHIP – Title 29 CFR 29.5(b)(10)**

Applicants will meet the following minimum qualifications:

A. Age

Apprentices must not be less than 18 years of age. Applicant must provide evidence of minimum age respecting any applicable State Laws or regulations.

B. Education

A high school diploma or GED equivalency is required. Applicant must provide an official transcript(s) for high school and post high school education and training. All GED records must be submitted if applicable.

Applicants must submit a DD-214 to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.

C. Physical

Applicants will be physically capable of performing the essential functions of the apprenticeship program, with or without a reasonable accommodation, and without posing a direct threat to the health and safety of the individual or others.

D. Applicant must be a current employee of J.V. Industrial Companies, LTD; comply with the sponsor's established promotion policy; and must have a supervisor recommendation for the apprentice program.

**SECTION V - SELECTION OF APPRENTICES – Title 29 CFR 30.5**

Selection into the apprenticeship program will be in accordance with the selection procedures made a part of these Standards (Appendix D).

**SECTION VI - APPRENTICESHIP AGREEMENT – Title 29 CFR 29.3(d) and (e) and 29.5(b)(11)**

After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the apprentice will be covered by a written Apprenticeship Agreement (Appendix B) signed by the Sponsor and the apprentice and approved by and registered with the Registration Agency. Such agreement will contain a statement making the terms and conditions of these standards a part of the agreement as though expressly written therein. A copy of each Apprenticeship Agreement will be furnished to the apprentice, the Sponsor, the Registration Agency, and the employer. An additional copy will be provided to the Veteran's State Approving Agency for those veteran apprentices desiring access to any benefits to which they are entitled.

Prior to signing the Apprenticeship Agreement, each selected applicant will be given an opportunity to read and review these Standards, the Sponsor's written rules and policies and the Apprenticeship Agreement.

The Registration Agency will be advised within forty-five (45) days of the execution of each Apprenticeship Agreement and will be given all the information required for registering the apprentice.

**SECTION VII - RATIO OF APPRENTICES TO JOURNEYWORKERS – Title 29 CFR 29.5(b)(7)**

A numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment throughout the apprenticeship, the ratio of apprentices to journeyworkers will be **ONE (1)** apprentice to **ONE (1)** journeyworker. The ratio language must be specific and clearly described as to its application on the job site, workforce, department or plant.

**SECTION VIII - TERM OF APPRENTICESHIP – Title 29 CFR 29.5(b)(2)**

The term for **PIPE FITTER** and **WELDER** will each be **FOUR YEARS** with an (OJL) attainment of **8000 HOURS** supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (Appendix A). Full credit will be given for the probationary period.

The term for **BOILER MAKER** will be **THREE YEARS** with an (OJL) attainment of **6000 HOURS** supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (Appendix A). Full credit will be given for the probationary period.



**SECTION IX - PROBATIONARY PERIOD – Title 29 CFR 29.5(b)(8), (b)(20)**

Applicants selected for the **PIPE FITTER** or **WELDER** apprenticeship program will serve a probationary period of **2000 hours**.

Applicants selected for the **BOILER MAKER** apprenticeship program will serve a probationary period of **1500 hours**.

During the probationary period either the apprentice or the Sponsor may terminate the Apprenticeship Agreement, without stated cause, by notifying the other party in writing. The records for each probationary apprentice will be reviewed prior to the end of the probationary period. Records may consist of periodic reports regarding progression made in both the OJL and related instruction, and any disciplinary action taken during the probationary period.

Any probationary apprentice evaluated as satisfactory after a review of the probationary period will be given full credit for the probationary period and continue in the program.

After the probationary period the Apprenticeship Agreement may be canceled at the request of the apprentice, or may be suspended or canceled by the Sponsor for reasonable cause after documented due notice to the apprentice and a reasonable opportunity for corrective action. In such cases, the Sponsor will provide written notice to the apprentice and to the Registration Agency of the final action taken.

**SECTION X - HOURS OF WORK**

Apprentices will generally work the same hours as journeymen, except that no apprentice will be allowed to work overtime if it interferes with attendance in related instruction classes.

Apprentices who do not complete the required hours of OJL during a given segment will have the term of that segment extended until the required number of hours of training are accrued.

**SECTION XI - APPRENTICE WAGE PROGRESSION – Title 29 CFR 29.5(b)(5)**

Apprentices will be paid a progressively increasing schedule of wages during their apprenticeship based on the acquisition of increased skill and competence on-the-job and in related instruction. Before an apprentice is advanced to the next segment of training or to journeyman status, the Sponsor will evaluate all progress to determine whether advancement has been earned by satisfactory performance in their OJL and in related instruction courses. In determining whether satisfactory progress has been made, the Sponsor will be guided by the work experience and related instruction records and reports.



The progressive wage schedule will be an increasing percentage of the journeyworker wage rate. The percentages that will be applied to the applicable journeyworker rate are shown on the attached Sample Work Process Schedule and Related Instruction Outline (Appendix A). In no case will the starting wages of apprentices be less than that required by any minimum wage law which may be applicable.

#### **SECTION XII - CREDIT FOR PREVIOUS EXPERIENCE – Title 29 CFR 29.5(b)(12) and 30.4(c)(8)**

The Sponsor may grant credit towards the term of apprenticeship to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to that which would be received under these Standards.

Apprentice applicants seeking credit for previous experience gained outside the supervision of the Sponsor must submit the request at the time of application and furnish such records, affidavits, or other documents to substantiate the claim. Applicants requesting such credit who are selected into the apprenticeship program will start at the beginning wage rate. The request for credit will be evaluated and a determination made by the Sponsor during the probationary period when actual on-the-job and related instruction performance can be examined. Prior to completion of the probationary period, the amount of credit to be awarded will be determined after review of the apprentice's previous work and training/education record and evaluation of the apprentice's performance and demonstrated skill and knowledge during the probationary period.

An apprentice granted credit will be advanced to the wage rate designated for the period to which such credit accrues. The Registration Agency will be advised of any credit granted and the wage rate to which the apprentice is advanced.

The granting of advanced standing will be uniformly applied to all apprentices.

#### **SECTION XIII - WORK EXPERIENCE – Title 29 CFR 29.5(b)(3) and 30.8**

During the apprenticeship the apprentice will receive such OJL and related instruction in all phases of the occupation necessary to develop the skill and proficiency of a skilled journeyworker. The OJL will be under the direction and guidance of the supervisor of the apprentice(s).

#### **SECTION XIV - RELATED INSTRUCTION – Title 29 CFR 29.5(b)(4)**

During each segment of training each apprentice is required to participate in coursework related to the job as outlined in Appendix A. For each occupation, the recommended term of apprenticeship will include no less than 144 hours of related instruction for the for each year of

the apprenticeship. Apprentices agree to take such courses as the Sponsor deems advisable. The Sponsor will secure the instructional aids and equipment it deems necessary to provide quality instruction. In cities, towns or areas having no vocational school or other schools that can furnish related instruction; the apprentice may be required to take an alternate form of instruction that meets the approval of the Sponsor and the Registration Agency.

Apprentices **will not** be paid for hours spent attending related instruction classes. If applicable, the Sponsor will inform each apprentice of the availability of college credit.

Any apprentice who is absent from related instruction classes, unless officially excused, will satisfactorily complete all course work missed before being advanced to the next period of training. In cases of failure of an apprentice to fulfill the obligations regarding related instruction (or OJL) without due cause, the Sponsor will take appropriate disciplinary action and may terminate the Apprenticeship Agreement after due notice to the apprentice and opportunity for corrective action.

To the extent possible, related instruction will be closely correlated with the practical experience and training received on-the-job. The Sponsor will monitor and document the apprentice's progress in related instruction classes.

The Sponsor will secure competent instructors whose knowledge, experience, and ability to teach will be carefully examined and monitored. If applicable, when possible, the Sponsor may require the instructors to attend Hacienda LA Puente Adult Education.

#### **SECTION XV - SAFETY AND HEALTH TRAINING** – Title 29 CFR 29.5(b)(9)

All apprentices will receive instruction in safe and healthful work practices both on-the-job and in related instruction that are in compliance with the Occupational Safety and Health Standards promulgated by the Secretary of Labor under 29 U.S.C. 651 et seq., as amended, dated December 29, 1970, and subsequent amendments to that law, or State Standards that have been found to be at least as effective as the Federal Standards

Apprentices will be taught that accident prevention is very largely a matter of education, vigilance, and cooperation and that they should strive at all times to conduct themselves in their work to ensure their own safety and that of their fellow workers.

#### **SECTION XVI - SUPERVISION OF APPRENTICES** – Title 29 CFR 29.5(b)(14)

The Sponsor will be responsible for the training of the apprentice on the job. Apprentices will be under the general supervision of the Sponsor and under the direct supervision of the journeyworker to whom they are assigned. The supervisor of apprentice(s) designated by the employer will be responsible for the apprentice's work assignments, and will ensure the



apprentice is working under the supervision of a skilled journeyworker, evaluation of work performance, and completion and submittal of progress reports to the Sponsor.

No apprentice will be allowed to work without direct journeyworker supervision.

#### **SECTION XVII - RECORDS AND EXAMINATIONS – Title 29 CFR 29.5(b)(6)**

Each apprentice may be responsible for maintaining a record of his/her work experience/training on-the-job and in related instruction and for having this record verified by his/her supervisor at the end of each week. The apprentice will authorize an effective release of their completed related instruction records from the local school authorities to the Sponsor. The record cards and all data, written records of progress evaluations, corrective and final actions pertaining to the apprenticeship, will be maintained by and will be the property of the Sponsor. This record will be included in each apprentice's record file maintained by the Sponsor.

Before each period of advancement, or at any other time when conditions warrant, the Sponsor will evaluate the apprentice's record to determine whether he/she has made satisfactory progress. If an apprentice's related instruction or on-the-job progress is found to be unsatisfactory, the Sponsor may determine whether the apprentice will continue in a probationary status, or require the apprentice to repeat a process or series of processes before advancing to the next wage classification. In such cases, the Sponsor will initiate a performance improvement plan with the apprentice.

Should it be found that the apprentice does not have the ability or desire to continue the training to become a journeyworker, the Sponsor will, after the apprentice has been given adequate assistance and opportunity for corrective action, terminate the Apprenticeship Agreement.

#### **SECTION XVIII - MAINTENANCE OF RECORDS – Title 29 CFR 29.5(b)(23)**

The Sponsor will maintain for a period of five (5) years from the date of last action, all records relating to apprentice applications (whether selected or not), the employment and training of apprentices, and any other information relevant to the operation of the program. This includes, but is not limited to, records on the recruitment, application and selection of apprentices, and records on the apprentice's job assignments, promotions, demotions, layoffs, terminations, rate of pay, or other forms of compensation, hours of work and training, evaluations, and other relevant data. The records will permit identification of minority and female (minority and non-minority) participants. These records will be made available on request to the Registration Agency.

**SECTION XIX. - CERTIFICATE OF COMPLETION OF APPRENTICESHIP – Title 29 CFR 29.5(b)(15)**

Upon satisfactory completion of the requirements of the apprenticeship program as established in these Standards, the Sponsor will so certify in writing to the Registration Agency and request that a Certificate of Completion of Apprenticeship be awarded to the completing apprentice(s). Such requests will be accompanied by the appropriate documentation for both the OJL and the related instruction as may be required by the Registration Agency.

**SECTION XX - NOTICE TO REGISTRATION AGENCY – Title 29 CFR 29.3(2)(d) and (e) and 29.5(b)(19)**

The Registration Agency will be notified within forty-five (45) days of all new apprentices to be registered, credit granted, suspensions for any reason, reinstatements, extensions, modifications, completions, cancellations, and terminations of Apprenticeship Agreements and causes.

**SECTION XXI - CANCELLATION AND DEREGISTRATION – Title 29 CFR 29.5(b)(18)**

These Standards will, upon adoption by the Sponsor be submitted to the Registration Agency for approval. Such approval will be acquired before implementation of the program.

JV Industrial Companies, Ltd. reserves the right to discontinue at any time the apprenticeship program set forth herein. The Registration Agency will be notified promptly in writing of any decision to cancel the program.

Deregistration of these Standards may be initiated by the Registration Agency for failure of the Sponsor to abide by the provisions herein. Such deregistration will be in accordance with the Registration Agency's regulations and procedures.

Within fifteen (15) days of cancellation of the apprenticeship program (whether voluntary or involuntary), the Sponsor will notify each apprentice of the cancellation and the effect of same. This notification will conform to the requirements of Title 29, CFR part 29.7.

**SECTION XXII - AMENDMENTS OR MODIFICATIONS – Title 29 CFR 29.5(b)(18)**

These Standards may be amended or modified at any time by the Sponsor provided that no amendment or modification adopted will alter any Apprenticeship Agreement in force at the time without the consent of all parties. Such amendment or modification will be submitted to the Registration Agency for approval and registration prior to being placed in effect. A copy of each amendment or modification adopted will be furnished to each apprentice to whom the amendment or modification applies.



**SECTION XXIII - ADJUSTING DIFFERENCES/COMPLAINT PROCEDURE – Title 29 CFR 29.5(b)(22) and 30(11)**

The Sponsor will have full authority to supervise the enforcement of these Standards. Its decision will be final and binding on the employer, the sponsor, and the apprentice, unless otherwise noted below.

If an applicant or an apprentice believes an issue exists that adversely affects his/her participation in the apprenticeship program or violates the provisions of the Apprenticeship Agreement or Standards, relief may be sought through one or more of the following avenues, based on the nature of the issue:

**Title 29 CFR 29.7(k)**

The Sponsor will hear and resolve all complaints of violations concerning the Apprenticeship Agreement and the registered Apprenticeship Standards, for which written notification is received within fifteen (15) days of violations. The Sponsor will make such rulings as it deems necessary in each individual case and within thirty (30) days of receiving the written notification. Either party to the Apprenticeship Agreement may consult with the Registration Agency for an interpretation of any provision of these Standards over which differences occur. The name and address of the appropriate authority to receive, process and make disposition of complaints is:

Kendra Johnson, JV University Administrator,  
2402 S. Battleground Rd.  
Deer Park, Texas 77536  
phone 281-417-7230

**Title 29 CFR 30.11**

Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the Program Sponsor (if applicable).

The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the Program Sponsor involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.

The complaint must be filed not later than one hundred eighty (180) days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and in the case of complaints filed directly with the review body designated by the Program Sponsor to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or thirty (30) days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.

Complaints of discrimination in the apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.

The Sponsor will provide written notice of its complaint procedure to all applicants for apprenticeship and all apprentices.

#### **SECTION XXIV - TRANSFER OF AN APPRENTICE AND TRAINING OBLIGATION – Title 29 CFR 29.5(13)**

The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on agreement between the apprentice and the affected apprenticeship committee or program sponsors, and must comply with the following requirements:

- i. The transferring apprentice must be provided a transcript of related instruction and on-the-job learning by the committee or program sponsor;
- ii. Transfer must be to the same occupation; and
- iii. A new apprenticeship agreement must be executed when the transfer occurs between the program sponsors.

#### **SECTION XXV - RESPONSIBILITIES OF THE APPRENTICE**

Apprentices, having read these Standards formulated by the Sponsor and signed an Apprenticeship Agreement with the Sponsor agree to all the terms and conditions contained therein and agree to abide by the Sponsor's rules and policies, including any amendments, serve such time, perform such manual training, and study such subjects as the Sponsor may deem necessary to become a skilled **PIPE FITTER, WELDER or BOILER MAKER**

In signing the Apprenticeship Agreement, apprentices assume the following responsibilities and obligations under the apprenticeship program:

- A. Perform diligently and faithfully the work of the occupation and other pertinent duties assigned by the Sponsor and the employer in accordance with the provisions of these Standards.

- B. Respect the property of the employer and abide by the working rules and regulations of the employer.
- C. Attend and satisfactorily complete the required hours in the OJL and in related instruction in subjects related to the occupation as provided under these Standards.
- D. Maintain and make available such records of work experience and training received on-the-job and in related instruction as may be required by the Sponsor.
- E. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of other fellow workers.
- F. Work for the employer to whom the apprentice is assigned for the completion of apprenticeship, unless reassigned to another employer or the Apprenticeship Agreement is terminated by the Sponsor.

#### **SECTION XXVI - TECHNICAL ASSISTANCE**

Technical Assistance such as that from the U.S. Department of Labor, Office of Apprenticeship, State Apprenticeship Agencies, and vocational schools—may be requested to advise the Sponsor.

The Sponsor is encouraged to invite representatives from industry, education, business, private and/or public agencies to provide consultation and advice for the successful operation of their training program.

SECTION XXVII - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS:

*JV Industrial Companies, Ltd.* hereby adopts these Standards of Apprenticeship on this 27<sup>th</sup>  
Day of October, 2015.

*Joe Vardell*  
Signature/Title of Sponsor

Mr. Joe Vardell

Printed Name

*Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.*

Apprenticeship**USA**



## Appendix A

PROGRAM: JV Industrial Companies, Ltd.  
PROGRAM ID: CA002157873



### **OCCUPATION SCHEDULE FOR: PIPEFITTER, WELDER and BOILER MAKER.**

This schedule is attached to and a part of these Standards for the identified occupations.

#### **1. TERM OF APPRENTICESHIP**

The term for **PIPE FITTER** and **WELDER** will each be **FOUR YEARS** with an (OJL) attainment of **8000 HOURS** supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (Appendix A). Full credit will be given for the probationary period.

The term for **BOILER MAKER** will be **THREE YEARS** with an (OJL) attainment of **6000 HOURS** supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (Appendix A). Full credit will be given for the probationary period.

#### **2. RATIO OF APPRENTICES TO JOURNEYWORKERS**

One (1) **apprentice** may be employed in each shop department, and/or jobsite employing one (1) **qualified journeyworker**. No apprentice will be allowed to work without direct journeyworker supervision

#### **3. APPRENTICE WAGE SCHEDULE**

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current journeyworker wage rate as follow:

**Welder: \$37.00/HR      Pipefitter: \$33.00/HR      BM/Mechanical: \$32.50/HR**

##### **4 Year Term:**

1 <sup>st</sup>	0 - 1000 hours = 40%	5 <sup>th</sup>	4001 - 5000 hours = 60%
2 <sup>nd</sup>	1001 - 2000 hours = 45%	6 <sup>th</sup>	5001 - 6000 hours = 70%
3 <sup>rd</sup>	2001 - 3000 hours = 50%	7 <sup>th</sup>	6001 - 7000 hours = 80%
4 <sup>th</sup>	3001 - 4000 hours = 55%	8 <sup>th</sup>	7001 - 8000 hours = 90%

##### **3 Year Term**

1 <sup>st</sup>	0 - 1000 hours = 40%	4 <sup>th</sup>	3001 - 4000 hours = 70%
2 <sup>nd</sup>	1001 - 2000 hours = 50%	5 <sup>th</sup>	4001 - 5000 hours = 80%
3 <sup>rd</sup>	2001 - 3000 hours = 60%	6 <sup>th</sup>	5001 - 6000 hours = 90%

#### **4. SCHEDULE OF WORK EXPERIENCE (See attached Work Process Schedule)**

The Sponsor may modify the work processes to meet local needs prior to submitting these Standards to the appropriate Registration Agency for approval.

#### **5. SCHEDULE OF RELATED INSTRUCTION (See attached Related Instruction Outline)**

## Appendix A

### WORK PROCESS SCHEDULE

**PROGRAM:** JV Industrial Companies, Ltd.

**PROGRAM ID:** CA002157873

**OCCUPATION:** PIPE FITTER

**SOC CODE:** 47-2152.01

**RAPIDS CODE:** 0414

Petrochemical Hazard Area Pipefitters are primarily responsible for the dismantling, testing, repair, maintenance, assembly, and installation of all types of pipe systems and valves, flanges and systems located in and on Process Refining Units (Hydrocrackers, Catalytic Crackers, Cokers, Sulphur Recovery Units, Fluid Catalytic Crakers, Hydrofiner, etc.). In place in operational Refineries and Petro-Chemical processing plants.

	PIPEFITTER	HOURS
ITEM	CATEGORY/DESCRIPTION	
1	Blinding and de-blinding piping systems	800
2	Fabricating, repairing and/or installing pipe spools, valves, flanges, and similar pipe and pipe related equipment based on isometric drawings	1600
3	Flame cut pipe to length and bevel, clean and prepare pipe for fit-up and installation	1600
4	Layout, measure, rig, transport, fit and install various piping, pipes and associated equipment	1600
5	Hydrostatic/pneumatic testing	800
6	Rigging	800
7	Housekeeping- tools, materials, equipment	400
8	Safety- Equipment maintenance, PPE, Safety processes and procedures	400
	<b>TOTAL</b>	<b>8000</b>

## APPENDIX A — RELATED INSTRUCTION OUTLINE

**PROGRAM:** JV Industrial Companies, Ltd

**PROGRAM ID:** CA002157873

**OCCUPATION:** PIPE FITTER

**SOC CODE:** 47-2152.01

**RAPIDS CODE:** 0414

**Source:** Company Designed Curriculum

**Length:** Approximately 144+ hours per year of apprenticeship.

### First Year (150 hours):

Company core subjects {classroom}  
Basic refinery operations and process equipment {classroom}  
Refinery Safety and Quality standards {classroom}  
Basic tools (hydraulic, pneumatic, electric, hand) {hybrid}<sup>1</sup>  
Knots, ladders and scaffolding {hybrid}  
Measurement and reading {hybrid}  
Orientation to pipefitting {hybrid}  
Basic pipefitting materials {hybrid}  
Pipefitting terminology {hybrid}  
Pipe support materials and tools {hybrid}  
Pipefitter hand tools {hybrid}

### Second Year (160 hours):

Pipefitter math {hybrid}  
Basic construction drawings {hybrid}  
Flange connections {hybrid}  
Identifying and installing valves {hybrid}  
Advanced materials {hybrid}  
Pipefitter power tools {hybrid}  
Pipe drawings and detail sheets {hybrid}  
Oxygen/acetylene torch basics {hybrid}  
Socket welds Pipe fabrication {hybrid}

### Third Year (160 hours):

Threaded pipe fabrication {hybrid}  
Butt weld pipe fabrication {hybrid}  
Advanced oxygen/acetylene torch {hybrid}  
Wire rope {hybrid}  
Motorized equipment {hybrid}  
Rigging Basics {hybrid}  
Lift planning {hybrid}

### Fourth Year (144 hours):

Advanced rigging {hybrid}  
System testing {hybrid}  
Identifying structural shapes {hybrid}  
Engineered supports {hybrid}  
Field routing {hybrid}  
Field fabricated supports {hybrid}  
Heavy wall fits {hybrid}  
Pump stress relieving and aligning {hybrid}  
Underground pipe {hybrid}  
Leadership skills {hybrid}  
Teamwork and communication skills {classroom}

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<sup>1</sup> As used in this document, "hybrid" refers to a variety of instructional techniques made available through NCCER. Some subjects may be covered through classroom instruction at the Company's two Craft Development Centers, in San Antonio or Houston, Texas. Other instruction may be through classroom-style instruction in the field, after hours. Other instruction may be achieved through self-study using NCCER prepared textbooks. In every case, however, the apprentice is not given credit for the module until he or she has passed an in-person, proctored computer-based test.



**PROGRAM:** JV Industrial Companies, Ltd.  
**PROGRAM ID:** CA002157873  
**OCCUPATION:** WELDER  
**SOC CODE:** 47-2152.01  
**RAPIDS CODE:** 0627

Petrochemical Hazard Area AA Welders install pipe hangers and fabricate piping spools from spool sheets and/or isometric drawings. Weld all Carbon Steel, all Chrome, all Stainless Steel, all Nickel-Chrome, all Inconel materials using the GTAW (Tig) and SMAW (stick) processes located in and on or fabricated for Process Refining Units (Hydrocrackers, Catalytic Crackers, Cokers, Sulphur Recovery Units, Fluid Catalytic Crakers, Hydrofiner, etc.). Additionally, weld in all Radiant Heaters, Boiler Tubes, and Convection Boxes in place in operational Refineries and Petro-Chemical processing plants.

	WELDER	HOURS
ITEM	CATEGORY/DESCRIPTION	
1	Install pipe hangers.	240
2	Fabricate piping spools for use in refineries from spool sheets and isometric drawings.	1600
3	Use cutting torch to cut and bevel pipe, clean and prepare pipe for fit-up.	800
4	Perform layout, rig and transport pipe, valves and fittings.	200
5	Layout, assemblies, align, and fit components for welding.	200
6	Bolt, clamp, tack-weld, and secure components in position for welding.	160
7	Set up welding equipment.	400
8	Repair components by dismantling, straightening, reshaping and reassembling parts, using cutting torch and hand tools.	400
9	Weld all Carbon Steel, all Chrome, all Stainless Steel, all Nickel-Chrome/Inconel materials used in Petrochemical facilities, using the GTAW (Tig) and SMAW (stick) processes. Weld inside all Radiant Heaters, Boiler Tubes, and Convection Boxes as found in petro-chemical plants, in all physical positions.	3200
10	Housekeeping- tools, materials, equipment	400
11	Safety- Equipment maintenance, PPE, Safety processes and procedures	400
	<b>TOTAL</b>	<b>8000</b>

## APPENDIX A — RELATED INSTRUCTION OUTLINE

**PROGRAM:** JV Industrial Companies, Ltd

**PROGRAM ID:** CA002157873

**OCCUPATION:** WELDER

**SOC CODE:** 47-2152.01

**RAPIDS CODE:** 0627

**Source:** Company Designed Curriculum

**Length:** Approximately 144+ hours per year of apprenticeship.

### **First Year (160 hours):**

Company Core Subjects {classroom}  
Basic Refinery Operations and Process Equipment {classroom}  
Refinery Safety and Quality standards {classroom}  
Basic tools (hydraulic, pneumatic, electric, hand) {classroom}  
Ladders and scaffolding {classroom}  
Measurement and reading  
Orientation to welding {hybrid}  
Welding materials and equipment {hybrid}  
Welding terminology {hybrid}  
Weld on Carbon Steel and Stainless plate {classroom}  
Pass JVIC Weld Tests #7 & #8 {classroom}

### **Second Year (150 hours):**

Layout and fit up {classroom}  
Tack-up and tack welding {classroom}  
Basic rigging {hybrid}  
Weld on Carbon Steel and Stainless-Steel piping {classroom}  
Pass JVIC Weld Tests #1 & #2 {classroom}  
Weld on Chrome piping {classroom}  
Pass JVIC Weld test #3 {classroom}

### **Third Year (150 hours):**

Weld on Nickel-Chrome/Inconel Piping {classroom}  
Weld on Boiler Tubes and radiant heaters {classroom}  
Pass JVIC Weld Test #4 {classroom}  
Confined space training {classroom}

### **Fourth Year (150 hours):**

Weld in convection boxes {classroom}  
Pass JVIC Weld Test #5 {classroom}  
Advanced rigging {hybrid}  
Leadership skills {classroom}  
Teamwork and communication skills {classroom}

## Appendix A

### WORK PROCESS SCHEDULE

**PROGRAM:** JV Industrial Companies, Ltd.  
**PROGRAM ID:** CA002157873  
**OCCUPATION:** Boilermaker  
**SOC CODE:** 47- 2011.00  
**RAPIDS CODE:** 0040

Petrochemical Hazard Area Boilermaker Mechanics are primarily responsible for the dismantling, testing, repair, maintenance, assembly, and installation of all types of vessels, equipment, towers, boilers, exchangers and similar mechanical systems located in and on Process Refining Units (Hydrocrackers, Catalytic Crackers, Cokers, Sulphur Recovery Units, Fluid Catalytic Crakers, Hydrofiner, etc.) in place in operational Refineries and Petro-Chemical processing plants.

	BOILERMAKER (MECHANICAL)	HOURS
ITEM	CATEGORY/DESCRIPTION	
1	Blinding and de-blinding mechanical systems, vessels, joints, and equipment	600
2	Fabricating, repairing and/or installing boilers, heat exchangers, towers, vessels, valves, flanges, and similar mechanical equipment	240
3	Tensioning and torque procedures	240
4	Heat Exchanger opening, bundle extraction, repair and installation	1140
5	Valve installation, including gasketing, bolting, tensioning	1140
6	Tower repair, including opening towers, confined space entry, installing trays, nozzles, rotating equipment, support beams	1140
9	Light rigging	600
10	Housekeeping- tools, materials, equipment	300
11	Safety- Equipment maintenance, PPE, Safety processes and procedures	600
	<b>TOTAL</b>	<b>6000</b>



## APPENDIX A — RELATED INSTRUCTION OUTLINE

**PROGRAM:** JV Industrial Companies, Ltd

**PROGRAM ID:** CA002157873

**OCCUPATION:** BOILER MAKER

**SOC CODE:** 47-2011.00

**RAPIDS CODE:** 0040

**Source:** NCCER

**Length:** Approximately 144+ hours per year of apprenticeship.

### **First Year (160 hours):**

- a) Company core subjects {classroom}
- b) Basic Refinery Operations and Process Equipment {classroom}
- c) Refinery Safety and Quality standards {classroom}
- d) Basic tools (hydraulic, pneumatic, electric, hand) {classroom}
- e) Knots, ladders and scaffolding {classroom}
- f) Measurement and reading {classroom}
- g) Orientation to mechanical boiler making {hybrid}
- h) Basic materials {classroom}
- i) Boiler making terminology {hybrid}
- j) Boiler maker Math {hybrid}
- k) Construction drawings {hybrid}

### **Second Year (160 hours):**

- a) Basic set up and layout {hybrid}
- b) Flange connections {hybrid}
- c) identifying and installing valves {hybrid}
- d) Boilers and vessels {hybrid}
- e) Towers {hybrid}
- f) Advanced materials {hybrid}
- g) Oxyfuel cutting/heating {hybrid}
- h) Rigging {hybrid}
- i) Confined space {classroom}

### **Third Year (160 hours):**

- a) Welding {hybrid}
- b) Air Carbon ARC cutting and gouging {hybrid}
- c) Motorized equipment {hybrid}
- d) Rotating equipment {hybrid}
- e) Drawings and detail sheets {hybrid}
- f) Internal trays and support beams {hybrid}
- g) System testing {hybrid}
- h) Identifying structural shapes {hybrid}
- i) Engineered supports {hybrid}

Appendix C

**AFFIRMATIVE ACTION PLAN**

**ADOPTED BY**

***JV Industrial Companies, Ltd.***

AS REQUIRED UNDER TITLE 29, CODE OF FEDERAL REGULATIONS, PART 30  
AMENDED MAY 12, 1978



DEVELOPED IN COOPERATION WITH THE  
U. S. DEPARTMENT OF LABOR  
OFFICE OF APPRENTICESHIP

APPROVED BY: 

RICHARD DAVIS, CALIFORNIA STATE DIRECTOR  
UNITED STATES DEPARTMENT OF LABOR,  
OFFICE OF APPRENTICESHIP.

 DATE OF REGISTRATION: October 23, 2015

PROGRAM ID: CA002157873

## SECTION I - INTRODUCTION

The Sponsor enters this Affirmative Action Plan (AAP) with good faith for the purpose of promoting equality of opportunity into its Registered Apprenticeship Program. The Sponsor seeks to increase the recruitment of qualified women and/or minorities for possible selection into the apprenticeship program in the event women and/or minorities are underutilized in the apprenticeship program. The Sponsor hereby adopts the following nondiscriminatory pledge and the AAP.

This AAP is a supplement to the Apprenticeship Standards. Any changes made by the Sponsor will become part of this written AAP, once approved by the Registration Agency.

## SECTION II - EQUAL OPPORTUNITY PLEDGE

The Sponsor commits to the following Equal Opportunity Pledge:

"The recruitment, selection, employment, and training of apprentices during their apprenticeship, shall be without discrimination because of race, color, religion, national origin, or sex. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, part 30."

## SECTION III - UTILIZATION AND ANALYSIS, GOALS AND TIMETABLES

In order to allow positive recruitment and full utilization of minorities and women in the apprenticeship program, the Sponsor pledges to identify outreach efforts under Section IV which will be undertaken. The purpose of the analysis is to determine the minority and women's labor force in the Sponsor's labor market area. Once the labor force is determined, the Sponsor can determine if deficiencies exist in terms of underutilization of minorities and/or women in the occupations registered with the Registration Agency. (See attached Affirmative Action Plan Workforce Analysis Worksheet)

## SECTION IV - OUTREACH AND POSITIVE RECRUITMENT

The Sponsor's AAP includes the following "checked" outreach and positive recruitment efforts that would reasonably be expected to increase minority and women's participation in apprenticeship by expanding the opportunity of minorities and women to become eligible for apprenticeship selection. **Once those efforts have been checked, the Sponsor will set forth the specific steps they intend to take under each identified effort.** The Sponsor will identify a significant number of activities in order to enable it to meet its obligation under Title 29, CFR part 30.4(c).



- A. X **An announcement of specific apprenticeship openings must be disseminated twice per year – approximately 6 months apart to the following agencies/organizations:**
1. Registration Agency (Office of Apprenticeship)
  2. Women's Organizations/Centers
  3. Organizations/Centers (which can effectively reach minorities and women)
  4. Newspapers (which are circulated in the minority community and among women)
  5. Private Welding Schools and Industrial Vocational Schools specializing in Industrial and Petrochemical plant construction and repair.
- The announcement will include the nature of the apprenticeship, requirements for admission to apprenticeship, availability of apprenticeship opportunities, sources of apprenticeship applications, and the Sponsor's equal opportunity policy. The period for accepting applications as established by the Sponsor is **YEAR ROUND**
- B. X **Participation in annual workshops conducted by employment service agencies for the purpose of familiarizing school, employment service and other appropriate personnel with the apprenticeship program and current opportunities.**
- C. X **Cooperation with school boards and vocational educational systems to develop programs for preparing students to meet the standards and criteria required to qualify for entry into the apprenticeship program.**
- D. X **Internal communication of the Sponsor's equal opportunity policy should be conducted in such a manner to foster understanding, acceptance, and support among the Sponsor's various officers, supervisors, employees, and members, and to encourage such persons to take the necessary action to aid in meeting its obligation under Title 29, CFR part 30.**
- E. Engaging in programs such as outreach for the positive recruitment and preparation of potential applicants for apprenticeships; where appropriate and feasible, such programs will provide for pre-testing experience and training. In initiating and conducting these programs, the Sponsor may be required to work with other Sponsors and appropriate community organizations. The Sponsor will also initiate programs to prepare women and encourage women to enter traditionally male programs.
- F. Encouraging the establishment and utilization of programs of pre-apprenticeship, preparatory trade training, or others designed to afford related work experience or prepare candidates for apprenticeship. The Sponsor will make appropriate provisions in its AAP to assure that those who complete such programs are afforded full and equal opportunity for admission into the apprenticeship program.
- G. Utilizing journeyworkers to assist in the implementation of affirmative action in the apprenticeship program.
- H. X **Granting advance standing or credit on the basis of previously acquired experience, training, skills, or aptitude for all applicants equally.**

- I.      ☒      Other appropriate action to ensure that the recruitment, selection, employment, and training of apprentices during their apprenticeship will be without discrimination because of race, color, religion, national origin, or sex (e.g., general publication of apprenticeship opportunities and advantages in advertisements, industry reports, articles, etc., use of present minority and women apprentices and journeyworkers as recruiters; career counseling; development of reasonable procedures to ensure employment opportunity, including reporting systems, on-site reviews, briefing sessions).

FOR EACH ITEM CHECKED IN SECTION IV, LIST EACH SPECIFIC STEP THAT THE SPONSOR WILL UNDERTAKE TO FULFILL THAT OUTREACH AND RECRUITMENT STEP:

- A. Notices of apprenticeship openings will be sent to organizations listed in A, as described.
- B. Sponsor will participate in career fairs to promote apprenticeship opportunities.
- D. Sponsor will ensure the affirmative action policy is communicated to all employees, supervisors, managers and other administrative personnel is aware of the sponsor's obligations to carry out the policy.
- H. The sponsor will consider all related work experience, education, skills and aptitude and grant credit for said experience equally.

#### **SECTION V - ANNUAL REVIEW OF AFFIRMATIVE ACTION PLAN**

The Sponsor will make an annual review of its current AAP and its overall effectiveness and institute any revisions or modifications warranted. The review will analyze (independently and collectively) the affirmative action steps taken by the Sponsor for evaluating the positive impact, as well as the adverse impact in the areas of outreach and recruitment, selection, employment, and training. They will work diligently to identify the cause and affect that result from their affirmative action measures. The Sponsor will continually monitor these processes in order to identify the need for a new affirmative action effort and/or deletion of ineffective existing activity(ies). All changes to the AAP must be submitted to the Registration Agency for approval. The Sponsor will continually monitor the participation rates of minorities and women in the apprenticeship program in an effort to identify any type of underutilization. If underutilization exists, corrective action will be immediately implemented. The goals and timetables also will be reviewed periodically as determined by the Registration Agency and updated where necessary.

SECTION VI - OFFICIAL ADOPTION

JV Industrial Companies, Ltd. hereby officially adopts this Affirmative Action Plan on this 27<sup>th</sup> Day of October 2015.

[Signature]  
Signature/Title of Sponsor

Mr. Joe Vardell  
Printed Name

*Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.*



Appendix D

**QUALIFICATIONS AND SELECTION  
PROCEDURES**

**ADOPTED BY**

***JV Industrial Companies, Ltd.***



**DEVELOPED IN COOPERATION WITH THE  
U. S. DEPARTMENT OF LABOR  
OFFICE OF APPRENTICESHIP**

**APPROVED BY:**

  
RICHARD DAVIS, CALIFORNIA STATE DIRECTOR  
UNITED STATES DEPARTMENT OF LABOR,  
OFFICE OF APPRENTICESHIP.

 **DATE OF REGISTRATION:** October 23, 2015  
**PROGRAM ID:** CA002157873

## SECTION I. - MINIMUM QUALIFICATIONS

Applicants will meet the following minimum qualifications:

A. Age

Apprentices must not be less than 18 years of age. Applicant must provide evidence of minimum age respecting any applicable State Laws or regulations.

B. Education

A high school diploma or GED equivalency is required. Applicant must provide an official transcript(s) for high school and post high school education and training. All GED records must be submitted if applicable.

Applicants must submit a DD-214 to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.

C. Physical

Applicants will be physically capable of performing the essential functions of the apprenticeship program, with or without a reasonable accommodation, and without posing a direct threat to the health and safety of the individual or others.

- D. Applicant must be a current employee of J.V. Industrial Companies, LTD; comply with the sponsor's established promotion policy; and must have a supervisor recommendation for the apprentice program.

## SECTION II. - APPLICATION PROCEDURES

Selection from pool of current employees:

- (i) Selection. A sponsor may select apprentices from an eligibility pool of the workers already employed by the program sponsor in a manner prescribed by a collective bargaining agreement where such exists, or by the sponsor's established promotion policy. The sponsor adopting this method of selecting apprentices shall establish goals and timetables for the selection of minority and female apprentices, unless the sponsor concludes, in accordance with the provisions of Sec. 30.4 (d), (e), and (f) that it does not have deficiencies in terms of underutilization of minorities and/or women (minority and nonminority) in the apprenticeship of journey person crafts represented by the program.
- (ii) Applicant must be able to pass company's basic literacy test, to ensure the ability to understand written and oral instructions regarding work and safety issues.
- (iii) Compliance. Determinations as to the sponsor's compliance with its obligations under these regulations shall be in accordance with provisions of paragraph (b)(1)(vii) of this section.

### SECTION III. - DIRECT ENTRY

Sponsors who wish to invoke the direct entry provision may do so without regard to the existing selection procedure or minimum qualifications used for entry into the apprenticeship program. Individuals selected into the apprenticeship program via direct entry shall only include those individuals described below who have received training or employment in an occupation directly or indirectly related to the occupation(s) registered in these Standards. The Sponsors will award Credit for Previous Experience in accordance with Section XII of these Standards, and will pay the apprentice(s) at the wage rate commensurate with their skill attainment. The Credit for Previous Experience shall be awarded without regard to race, color, religion, national origin or sex. The methods for direct entry shall include the following:

- A. Youth who complete a Job Corps training program in any occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no apprentice opening is available, the Job Corps graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The apprenticeship committee will evaluate the Job Corps training received for granting appropriate credit on the term of apprenticeship. Entry of Job Corps graduates will be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- B. Youth who complete a YouthBuild U.S.A. training program in any occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no apprentice opening is available, the YouthBuild U.S.A. graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The apprenticeship committee will evaluate the YouthBuild U.S.A. training received for granting appropriate credit on the term of apprenticeship. Entry of YouthBuild U.S.A. graduates will be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- C. Military Veterans who completed military technical training school and/or participated in a registered apprenticeship program or related craft while in the military in the occupations registered in the Maintenance Electrician position, may be given direct entry into the apprenticeship program. The Apprenticeship Committee shall evaluate the military training received for granting appropriate credit on the term of apprenticeship and the appropriate wage rate. The Apprenticeship Committee will determine what training requirements they need to meet to ensure they receive all necessary training for completion of the apprenticeship program. Entry of Military Veterans shall be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- D. Former inmates of Department of Justice - Bureau of Prisons (BOP) who have participated in or have successfully completed a specific BOP apprenticeship program, where the Apprenticeship Program Sponsor agrees to admit such inmates without regard to race, color, religion, national origin, or sex and all individuals receive equal consideration. Sponsors agreeing to admit such individuals into apprenticeship must agree to do so without regard to present minimum qualifications, eligibility lists or the necessity of passing written apprenticeship entrance tests.



*(Note: This is a method of direct entry into the apprenticeship program.)*

- E. An employee of a non-participating employer who becomes a new member employer of the sponsoring organization who does not qualify as a journeyworker when the employer becomes a member, will be evaluated by the apprenticeship committee in accordance with the procedures for the granting of credit for previous experience, and registered at the appropriate period of apprenticeship based on previous work experience and related training. Any employee not eligible for receipt of credit must make application in accordance with the normal application procedures. *(Note: This is a method of direct entry into the apprenticeship program, whereby all minimum qualifications are waived.)*
- F. Seniors who complete a Senior Community Service Employment Program (SCSEP) pre-apprenticeship training program in any Maintenance Electrician occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no apprentice opening is available, the SCSEP graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The apprenticeship committee will evaluate the SCSEP training received for granting appropriate credit on the term of apprenticeship. Entry of SCSEP graduates will be done without regard to race, color, religion, national origin, or sex. *(Note: This is a method of direct entry into the apprenticeship program for Seniors.)*

#### **SECTION V. - COMPLAINT PROCEDURE**

- A. Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the Sponsor (if applicable).
- B. The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the Sponsor involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.
- C. The complaint must be filed not later than 180 days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and, in the case of complaints filed directly with the review bodies designated by the Sponsor to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.
- D. Complaints of discrimination in the apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.

- E. The Sponsor will provide written notice of their complaint procedure to all applicants for apprenticeship and all apprentices.

#### SECTION VI. - MAINTENANCE OF RECORDS

The Sponsor will keep adequate records including a summary of the qualifications of each applicant, the basis for evaluation and for selection or rejection of each applicant, the records pertaining to interviews of applicants, the original application for each applicant, information relative to the operation of the apprenticeship program, including, but not limited to, job assignment, promotion, demotion, layoff, or termination, rates of pay or other forms of compensation or conditions of work, hours including hours of work and, separately, hours of training provided, and any other records pertinent to a determination of compliance with the regulations at Title 29, CFR part 30, as may be required by the U.S. Department of Labor. The records pertaining to individual applicants, selected or rejected, will be maintained in such manner as to permit the identification of minority and women (minority and non-minority) participants.

Each Sponsor must retain a statement of its AAP for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analysis made pursuant to the requirements of Title 29, CFR part 30.4. Each Sponsor also must maintain evidence that its qualification standards have been validated in accordance with the requirements set forth in Title 29, CFR part 30.5(b).

In addition to the above requirements, adequate records will include a brief summary of each interview and the conclusions on each of the specific factors, e.g., motivation, ambition, and willingness to accept direction which are part of the total judgment. Records will be maintained for five (5) years from the date of last action and made available upon request to the U.S. Department of Labor or other authorized representative.

SECTION VII. - OFFICIAL ADOPTION OF SELECTION PROCEDURES

JV Industrial Companies, Ltd. hereby officially adopts these Selection Procedures on this  
27th Day of October, 2015.

Joe Vardell  
Signature/Title of Sponsor

Mr. Joe Vardell

Printed Name

*Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.*



## **Responses to Issues Identified by the Washington State Department of Labor & Industries**

Overview: The Program has been reviewed and approved by the United States Department of Labor, Office of Apprenticeship. It remains fully approved by DOL. In the course of the review of the Program incident to this request for reciprocal recognition, the Company and the Apprenticeship Committee have concluded that certain updates and modifications to the program would be beneficial; none of those changes would be to the detriment of enrolled or potential apprentices. The Company anticipates submitted those modifications to DOL sometime later in the Fourth Quarter, 2019, or early in the First Quarter, 2020. The Company would, of course, be happy to share those changes with the department of the WSATC.

### **Responses to specifically identified concerns:**

1. Program Apprenticeship Committee. The Program is administered by the Company's Apprenticeship Committee. The Committee consists of six members, three managerial employees involved in the Company's training and education efforts, and three craft workers. Each of the craft members are journey level workers; the craft workers all volunteered for their service on the Committee.
2. Geographic Area Covered. The Company operates throughout the United States; most apprentices are or will be drawn from the following areas: Starr and Harris Counties, Texas; Los Angeles County, California; and Skagit, Whatcom and Snohomish Counties, Washington.
3. Supervisor recommendation for apprenticeship application. Concerns were identified regarding Section IV(D) of the Program. Please be advised that no applicant for the Program has ever been denied admission to the Program because of the contents of that section (other than the requirement that the applicant be a Company employee, which is enforced).<sup>1</sup>

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<sup>1</sup> Because the supervisor's recommendation has never been used in practice, the Company anticipates deleting this provision when it submits a revised version of the Program for approval by DOL.

4. Notice to Agency of execution of agreement. Concerns were identified regarding Section VI, third paragraph. Please be advised that the Registration Agency (U.S. DOL, Office of Apprenticeship) is advised within 30 days of the execution of any such agreements.<sup>2</sup>

5. Term of apprenticeship for Pipefitters. Concerns were identified regarding Section VII, that most apprenticeship programs in the State of Washington require five years and 10,000 hours of OJL to achieve journey-level status. Respectfully, the Program covers all topics identified by the National Center for Construction Education and Research. However, please be advised that most of the apprentices graduating from the Program have achieved an 'advanced' certification, with an additional year of on the job instruction. Indeed, of the 198 individuals who have graduated from the Program, 100 of them are Pipefitters, and **all** of the Pipefitter graduates have achieved at least 10,000 hours of OJL. The Company will not dispatch any Pipefitters for projects in the state of Washington who have not achieved at least 10,000 hours of OJL.<sup>3</sup>

6. Term of Probationary Period. Concerns were identified with Section IX regarding the length of the probationary period identified in the Program. Please be advised that contemporaneously with the submission of this request, the Company has unilaterally altered the time during which it will treat apprentices as probationary to a period of no more than one year, or 20% of the length of time they would be in the Program.<sup>4</sup> Similarly, concerns were identified regarding Section XVII, regarding the ability to determine whether an apprentice would continue in a probationary status. Please note that this Section is only applicable to an extension of initial probationary period for disciplinary or poor performance reasons, which would be subject to the Program's complaint procedures.

7. Notice. Concerns were identified with Section XX regarding the length of time within which notice will be provided regarding the various actions identified in that Section. Please be advised that the Company provides such notice within 30 days.<sup>5</sup>

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<sup>2</sup> The Company anticipates revising this administrative detail when it submits a revised version of the Program for approval by DOL.

<sup>3</sup> Because this reflects the reality how the Program has operated in fact, the Company again anticipates revising this aspect of the Program when it submits a revised version for approval by DOL.

<sup>4</sup> The Company anticipates revising this aspect of the Program when it submits a revised version for approval by DOL.

<sup>5</sup> Please see footnote 2.



8. Modification to the Program. Concerns were identified with Section XXII regarding the approval process for any modifications to the Program. Please be assured that the Program will not be modified or amended without the approval of DOL.

9. Complaints. Concerns were identified with Section XXIII regarding the length of time during which Complaints may be filed. Please be advised be advised that contemporaneously with the submission of this request, the Company has unilaterally altered the time period during which it will accept complaints as timely, extending it to thirty days.<sup>6</sup>

10. Transfers. Concerns were identified with Section XXIV regarding accepting transfers. Please be advised that the Company has never had occasion to reject an applicant seeking to transfer apprenticeship training, or deny credit for previous apprenticeship work or instruction, and believes it is in full compliance with WSATC Administrative Policy 2019-01.

11. Instruction. Concerns were identified with Appendix A, regarding the specific class hours and instructional delivery method. Please see Attachment A, which provides that specificity for all three crafts covered by the Program.

12. Affirmative Action Plan. Concerns were identified that element “C” of the Affirmative Action Plan, Appendix C to the Program, does not identify specific steps. That element identifies the outreach efforts the Company undertakes to recruit a broad and diverse pool of applicants for the program. Please be assured that the Company does indeed do so. Recent examples include:

a. Zachry Group (the Company’s parent) works with customers, local colleges, and area high school committees to support their needs and helps them prepare their students for our industry. One example is support of the Project Hope Mentorship program. Project Hope supports middle and high school at-risk students who have shown interest in pursuing careers in engineering, process technology, and the STEM field. As a sponsor, Zachry provides students the opportunity to tour our facilities, and interact in job or work simulations.

b. Support JR Achievement Brazoria County 8th grader career fair, including sending representative to engage with the student and setting up

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<sup>6</sup> Please see footnote 4.



interactive features such as a crane simulator and a pipe rack with defects and deficiencies that introduces students to pipefitting.

c. Participate and advertise at the Support Women in Industry event that takes place annually in Galveston County. JVIC has a booth and representatives at this even to encourage and inform women of the career opportunities JVIC has to offer them.

d. JVIC participates in the San Antonio Development Center program, a fully paid developmental program for employees identified as high potential. Roughly forty candidates selected annually from jobsites all around the country. These pipefitters and welders receive technical training and leadership and professional career development in San Antonio for four months.

e. In 2019 JVIC participated in the Goose Creek ISD job fair for junior and senior high school students (and some parents) in Baytown (Harris County), Texas. Pipefitting instructor demonstrated pipe simulator and how to interpret Isometric Drawings. JVIC personnel also answered questions on potential wages for the industry and how to get prepared.

f. The Company has also toured and conducted outreach to Skagit Valley College and Bellingham Technical College, and attended and sponsored the Skagit Valley College Scholarship Auction and Dinner earlier this year.

13. Workforce Analysis Worksheet. Concerns were identified that the Program does not contain a form of an analysis. The Company had not read the federal regulations, pursuant to which the U.S. DOL approved the program, to require the inclusion of a particular form. However, the Company does review the diversity of the Program, and would be happy to provide that analysis.

14. Qualifications. Concerns were identified regarding Appendix D, qualifications for participation in the program. Please see Response No. 3 and footnote 1, above, which equally applies to this concern.