

# LEGENDS CASINO

## YAKAMA NATION

Washington

### STANDARDS OF APPRENTICESHIP

*FOR THE OCCUPATIONS OF:*

#### ELECTRICIAN

TERM: 8,000 Hours SOC: 47-2111.00 RAIS: 0159

#### HEATING, VENTILATION, AIR CONDITIONING and REFRIGERATION INSTALLER/SERVICER

TERM: 8,000 Hours SOC: 49-9021.01 RAIS: 0637

#### WASTEWATER TREATMENT PLANT OPERATOR

TERM: 6,000 Hours SOC: 51-8031.00 RAIS: 0507

*APPROVED BY*

THE UNITED STATES DEPARTMENT OF LABOR  
EMPLOYMENT AND TRAINING ADMINISTRATION  
OFFICE OF APPRENTICESHIP

Registered as part of the National Apprenticeship Program in accordance  
with the basic Standards of Apprenticeship established by the  
Secretary of Labor

By: \_\_\_\_\_

*Anne Wetmore*

Date: \_\_\_\_\_

*Sept. 17, 2009*

Anne Wetmore, Washington State Director  
US Department of Labor Office of Apprenticeship

Legends Casino Apprenticeship Program Registration Number: WA000092643

# Legends Casino Apprenticeship Program

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## FOREWORD

The Legends Casino is an enterprise of the Yakama Nation, a sovereign nation with approximately 10,000 members on 1.3 million acres of land. They are governed by the Yakama Nation Tribal Council, who has supported the development of apprenticeship standards. The Tribal Council's Health Employment and Welfare Committee (HEW) have as their mission, to improve the quality of life and standard of living of the Yakama Nation. They believe that registered apprenticeship will build the skills and increase productivity of the tribal workforce..

These **Legends Casino Apprenticeship and Training Standards** have as their objective, the training of Commercial Electrician, HVAC Installer/Service, and Waste Water Treatment Plant Operator, skilled in all phases of the industry. The Legends Casino recognizes that in order to accomplish this, there must be a well-developed on-the-job learning (OJL) and related classroom instruction program.

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

The adoption of these Apprenticeship Standards or the apprenticeship training program shall not operate to make any law not otherwise applicable to the Yakama Nation apply (including Title VII of the Civil Rights Act of 1964 or any other employment or labor law), or alter or waive the tribal sovereign immunity of the Yakama Nation in any way. These Standards are a tool for Legends Casino to use in administering and operating the apprenticeship program, and may be amended, modified or supplemented from time to time as described herein.

These standards will cover everything within the exterior boundaries of Yakama Reservation and include trust allotments outside the reservation of which the tribe has jurisdiction as well as any contractor that may serve as a training agent for Legends Casino in order to provide the apprentice the work experiences needed to complete these standards of apprenticeship.

## 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 Legends Casino providing for training and related instruction under these Standards, and who is registered with the Registration Agency.

**APPRENTICESHIP AGREEMENT:** The written agreement between the apprentice and Legends Casino 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.

**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.

**EMPLOYER:** Legends Casino will be considered the employer for the purposes of these standards. Generally, an employer means any person or organization that employs an apprentice under these Apprenticeship Standards, which includes enterprises, contractors and other tribal entities.

**EMPLOYER ACCEPTANCE AGREEMENT:** The written agreement between the sponsoring organization and the individual employer wishing to participate in the apprenticeship program under which these Standards are registered.

**JOURNEY-LEVEL WORKER:** A recognized level of competency as recognized within the industry. Use of the term may also refer to a mentor, technician, specialist or other skilled worker, or an individual who has documented sufficient skill and knowledge of a trade, craft or occupation, either through formal apprenticeship or through practical on-the-job experience, and formal training. This individual is recognized by his/her employer as being fully qualified to perform the work of the trade, craft or occupation.

**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, which replaces the DOT, 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:** Tasks learned on the job in which the apprentice must be proficient before a completion certificate is granted (also referred to as "OJL"). The learning must be through structured, supervised work experience.

**PROGRAM SPONSOR:** Legends Casino will be responsible for reviewing and approving these standards and any amendments to these standards, including any exhibits or attachments, for approval by the Registration Agency.

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

**REGISTRATION AGENCY:** U.S. Department of Labor, Office of Apprenticeship.

**RELATED INSTRUCTION:** An organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to his/her occupation. The related instruction will be provided by Perry Institute in Yakima, WA for the electrician and HVAC occupations and Green River Community College for the waste water treatment plant operator.

**STANDARDS OF APPRENTICESHIP:** This entire document and any future modifications or additions, including appendices and attachments, as may be adopted by the Legends Casino and approved by the Registration Agency.

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

- N. Supervise the implementation of these Apprenticeship Standards and be responsible, in general, for the successful operation of the standards by performing the duties here listed, by cooperating with appropriate public and private agencies, by obtaining publicity to develop public support of apprenticeship, and by communicating with apprentices, employers and journey-level workers.
- O. Legends Casino may choose an Apprenticeship Coordinator to oversee the Apprenticeship Program operations, monitor Apprentices and the program for compliance with the standards of training, and assist the Committee with administration of the program.

## **SECTION II. - EQUAL OPPORTUNITY PLEDGE – Title 29 CFR 29.5(b)(20) and 30.3(b)**

The Legends Casino of Yakama Nation is not subject to Title VII of the Civil Rights Act of 1964, so all hiring preferences outlined in the Yakama Nation's personnel policies and procedures shall apply. The adoption of this Apprenticeship program by Legends Casino shall not operate to make any law not otherwise applicable to the Yakama Nation apply (including Title VII or any other employment or labor law), or alter or waive the tribal sovereign immunity of the Yakama Nation in any way. Notwithstanding, the Legends Casino is encouraged to make the recruitment, selection, employment, and training of apprentices during their apprenticeship, without discrimination (except where Indian preference is allowed) because of race, color, religion, national origin, or sex, and to take affirmative action (as described in these standards) to provide equal opportunity in apprenticeship. The Apprenticeship Board shall maintain records relating to the recruitment and selection of apprentices for a minimum of 5 years. Records shall permit identification of minority and female participants. The records shall be made available on request to the US DOL/Office of Apprenticeship office.

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

The Legends Casino Apprenticeship Program is not subject to certain employment and labor laws, including Title VII of the Civil Rights Act of 1964, and the adoption of this apprenticeship program shall not alter or waive their tribal sovereign immunity. Once all current employees of the Legends Casino have had an opportunity to apply to become an apprentice, the Legends Casino will then voluntarily undertake an affirmative action plan, the purpose of which will be to increase the participation of females in the apprenticeship program. Legends Casino will take measures to conduct outreach to tribal members, especially females, minorities and Veterans to encourage participation in the apprenticeship program. These activities may include the following: posting apprenticeship openings throughout Yakama Nation that encourage female and Veteran tribal members to apply; sending out flyers that announce openings and encourage females to apply; including at any job fairs that the Legends Casino attends, and other outreach efforts that encourage women and Veterans to apply.

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

Applicants shall meet the following minimum qualifications:

- A. Age  
Apprentices may not be less than eighteen (18) years of age. (Applicant must provide documented evidence of minimum age respecting any applicable 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, and/or GED records, if applicable.
- C. Job Fitness  
Applicants will be fit and able to perform 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. Aptitude Test  
None
- E. Other  
Must hold a valid WA State Drivers License and be insurable.

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

- A. The first group of apprentices will be selected as per Indian Preference Legends Casino's current employees being trained in these occupations.

*INDIAN PREFERENCE AND YAKAMA PREFERENCE (per Personnel Policy Manual Section 2.1)*

- 2.1.1 *Indian Preference. In its efforts to achieve Self-Determination, Yakama Nation will grant Indian Preference for Employment to its employees and qualified applicants as appropriate. Indian Preference is in accordance with funding source provided for the wage of the position (funding provided under P.L. 93-638 contract and grants, and Tribal Funds.)*
- 2.1.2 *The following order of preference (see 2.1.3) shall apply when the position is funded wholly or in part by P.L. 93-638 funds or wholly by Tribal funds. This shall also apply for all staff funded with indirect costs and for those programs where multiple funding sources fund the wage and one of the funding sources is P.L. 93-638 funds.*
- 2.1.3 *Preference for Employment will be granted to qualified individuals (meeting minimal qualification criteria), in the following order<sup>3</sup>:*
  - (a) *Enrolled member of Yakama Nation – 10 points*
  - (b) *Indian (enrolled) spouse of an enrolled tribal member – 8 points*
  - (c) *Other Indian (member of a federally recognized tribe) – 6 points*
  - (d) *Indian (enrolled), descendant of enrolled tribal member – 8 points*
  - (e) *Non-Indian spouse of enrolled tribal member – 2 points*
  - (f) *Non-Indian – 0 points*
- 2.1.4 *The following order of preference applies for positions funded under non-638 federal funding:*
  - (a) *Indian (member of a federally recognized tribe) – 8 points**Note: Members of any federally recognized tribe are treated equally.*
- 2.1.5 *Yakama Nation reserves the right to appoint, on a case by case basis, the most qualified candidate regardless of race, color, creed, religion, national origin, age, sex, or political affiliation, to key positions*

*using the weighted point factor system per 2.1.3, provided, this system is defined in the Job Announcement.*

2.1.6 *Preference policies contained herein apply to hiring, placement, promotion, transfer, or demotion.*

2.1.7 *It is the goal of Yakama Nation to employ as many Tribal members as possible in Tribally funded positions. Therefore all other qualifications being equal, Yakama members receive hiring preference over other Indians and Non-Indians. Yakama members who have continued their education or received training beyond high school graduation (or its equivalent) and/or obtained job related experience are encouraged to apply for vacant positions within Yakama Nation.*

B. Veterans will be given 5 points in the selection with proof of DD214 and honorary discharge.

C. Applicants will be subject to a test for the current illegal use of drugs as a condition of acceptance into the program and prior to being registered as an apprentice.

#### **SECTION VI. - APPRENTICESHIP AGREEMENT – Title 29, CFR 29.5(b)(11)**

After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the applicant shall enter into a written Apprenticeship Agreement signed by the Legends Casino and the apprentice, in a form that has been approved by and registered with the Registration Agency. Such agreement shall contain a statement making the terms and conditions of these Standards a part of the agreement as though expressly written therein. The Legends Casino shall deliver a copy of each signed Apprenticeship Agreement to the apprentice and to the Registration Agency.

An additional copy of this Apprenticeship Agreement will be provided to the Veteran's State Approving Agency for those veteran apprentices desiring access to any benefits to which they are entitled.

Each applicant shall sign a written acknowledgement that, prior to signing the Apprenticeship Agreement, he or she has been given an opportunity to read and review these Standards, any rules or policies for apprentices that are developed by the Legends Casino to implement these Standards, and the Apprenticeship Agreement.

The Registration Agency will be advised promptly of the execution of each Apprenticeship Agreement and will be given all the information required for registering the apprentice. This requirement shall be met by promptly forwarding a copy of the Apprenticeship Agreement to the Registration Agency.

#### **SECTION VII. - RATIO OF APPRENTICES TO JOURNEY-LEVEL WORKERS – Title 29 CFR 29.5(b)(7)**

Consistent with proper supervision, training, safety, and continuity of employment throughout the apprenticeship, the ratio of apprentices to journey-level workers is one to one, and should be the amount necessary for the future needs of the employer. In the start up phase of this new apprenticeship program, a journey-level worker in their trade who is also employed by the employer will supervise the apprentice, and the employer's policies and responsibilities for workplace safety shall apply.

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

The term of the occupation shall be stated in numbers of years with an on-the-job learning attainment of 2,000 hours per year supplemented by the required hours of related instruction (a minimum of 144 per year) as stated in the Work Processes and Related Instruction section. (See Appendix A). Full credit shall be given for the probationary period.

**SECTION IX. - PROBATIONARY PERIOD – Title 29 CFR 29.5(b)(8), (b)(19)**

All applicants who are selected for apprenticeship and enter into an Apprenticeship Agreement shall serve a probationary period of not less than six (6) months of OJL.

During the probationary period either the apprentice or the Apprenticeship Board may terminate the Apprenticeship Agreement, without stated cause, by notifying the other party in writing. The records for each probationary apprentice shall 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 shall 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 Legends Casino for reasonable cause after documented written warning(s) to the apprentice and a reasonable opportunity for corrective action. In such cases, the Legends Casino will provide written notice of any suspension or cancellation of the Apprenticeship Agreement to the apprentice and to the Registration Agency.

**SECTION X. - HOURS OF WORK**

Apprentices will generally work the same hours as journey-level workers, except that no apprentice shall work overtime if it interferes with participation in related instruction.

Apprentices who do not complete the required hours of OJL during a given segment may have the term of that segment extended until the required number of hours of training is 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 journey-level worker status, the Apprenticeship Board, will evaluate the progress of the apprentice 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, Legends Casino shall be guided by the apprentice's work experience, job performance, and related instruction records and reports.

Typically, the progressive wage schedule will be an increasing percentage of the journey-level worker wage rate as established by the employer. The percentages that will be applied to the applicable journey-level worker rate are shown on the attached Sample Work Processes 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 that applies.

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

Legends Casino 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 Legends Casino must submit the request at the time of application and furnish such records, affidavits, and other items 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 Legends Casino 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 by Legends Casino, 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 fairly 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 as the Legends Casino deems necessary to develop the skill and proficiency of a journey-level worker. The OJL will be under the direction and guidance of the departmental supervisor of apprentice(s) and/or journey-level worker in that occupation.

## **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 each year of the

apprenticeship. Apprentices agree to take such courses, as Legends Casino deems advisable and is spelled out in these standards.

Apprentices may or may not be paid for hours spent attending related instruction classes, depending on the policies of the employer, consistent with any applicable wage and hour laws.

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 Legends Casino 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 correlated with the practical experience and training received on the job. Legends Casino will monitor and document the apprentice's progress in related instruction classes.

#### **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 based on 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 ("OSHA"), and subsequent amendments to that law. This does not constitute an admission by the Yakama Nation that OSHA applies to its workplace.

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 employer will be responsible for the training of the apprentice on the job. Apprentices will be under the general supervision of the employer and under the direct supervision of the journey-level worker to whom they are assigned. The supervisor of the apprentice(s) designated by the employer will be responsible for the apprentice's work assignments and ensuring the apprentice is working under the supervision of a journey-level worker, evaluation of performance as an apprentice, and completion and submittal of progress reports to the apprenticeship office at Legends Casino. The employee also will be subject to the employment policies, standards, and work rules of the employer, and the employer, Legends Casino will be responsible for applying those policies, standards and work rules to its employees.

No apprentice will be allowed to work without journey-level worker supervision.

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

Each Apprentice will sign an effective release of his/her education records from all schools and educational programs that he/she has attended. After beginning the program, each apprentice also will maintain a progress record of his/her work experience/training on the job and in related instruction and have this record signed by his/her trade specific supervisor at the end of each week. The apprentice will then forward this progress record on a monthly basis to the Legends Casino apprenticeship office, no later than the 10<sup>th</sup> day of the following month. The record cards and all data, written records of progress evaluations, corrective and final actions pertaining to the apprenticeship will be the property of the Apprenticeship Board. Legends Casino will maintain a record file for each apprentice containing the documents described in this paragraph.

Before each period of advancement, or at any other time when conditions warrant, the Legends Casino 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 unsatisfactory, the Legends Casino 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, Legends Casino may initiate a performance improvement plan with the apprentice.

Should the Legends Casino find that the apprentice does not have the ability or desire to continue the training to become a journey-level worker, that unsatisfactory job performance has not improved (given adequate assistance and reasonable opportunity to correct performance), or for other reasonable cause, the Legends Casino may terminate the Apprenticeship Agreement.

## **SECTION XVIII. - MAINTENANCE OF RECORDS – Title 29 CFR 29.5(b)(22)**

The Legends Casino 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 shall permit identification of minority and female (minority and non-minority) participants. The 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, Legends Casino shall 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 shall 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 29.5(b)(18)**

The Registration Agency will be notified promptly 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)(17)**

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

Legends Casino reserves the right to cancel 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 Legends Casino to abide by the provisions herein. Such deregistration will be in accordance with the Registration Agency's regulations and procedures.

The Legends Casino Apprenticeship Program shall have no liability to apprentices for discontinuance of the apprenticeship program or for deregistration of these Standards by the Registration Agency.

Within fifteen (15) days of cancellation of the apprenticeship program (whether voluntary or involuntary), the Legends Casino 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. - ADJUSTING DIFFERENCES/COMPLAINT PROCEDURE - Title 29 CFR 29.5(b)(21), and 30(11)**

The Legends Casino will have full authority to supervise the enforcement of these Standards. The employer will have full authority to supervise all other matters of employment, including the enforcement of the employment policies, standards, and work rules of the employer.

The Legends Casino will provide written notice of the complaint procedure to all applicants for apprenticeship and all apprentices.

**Title 29 CFR 29.5 (b)(21)**

Any apprentice or applicant for apprenticeship who believes that his or her Apprenticeship Agreement or these Standards, including the Equal Opportunity Pledge in Section II of these Standards, has been violated and that it adversely affects his or her participation in the apprenticeship program, may file a complaint with the Legends Casino.

In order to be considered, a complaint must be in writing, and must be filed with the appropriate authority within fifteen (15) working days of the alleged violation. The complaint must include the name, address and telephone number of the complainant, must identify the alleged violator, and must briefly describe the basis for the complaint, including the provision claimed to be violated and the relevant facts and circumstances establishing the alleged violation. The Legends Casino may provide a form to be used for this purpose.

In appropriate cases, the Legends Casino may first endeavor to resolve the complaint through informal review and discussion with the alleged violator and/or the apprentice without the necessity of issuing a formal written decision. If an informal resolution cannot be reached that is satisfactory to both parties, then the Legends Casino shall afford all parties the opportunity to be heard prior to issuing a formal written decision. The employer shall have the opportunity to participate. Written decisions on complaints will state the rules and facts upon which the decision is based and will generally be issued within thirty (30) days of receipt of the complaint.

The name and address of the appropriate authority to receive, process and coordinate disposition of complaints will be provided here upon approval of these standards. Differences that cannot be adjusted by the Legends Casino may be brought by any affected party to the attention of the Registration Agency for interpretation, within thirty (30) days of the decision.

These Standards have no authority over employment related matters, such as wages, hours, working conditions or other matters between an employer and an employee. Employees should seek resolution of those matters under the employer's Personnel Policies or such other process as may be otherwise available to employees through the employer.

Any apprentice or applicant for apprenticeship who believes that Equal Opportunity Pledge in Section II of these Standards, has been violated and that it adversely affects his or her participation in the apprenticeship program, may file a complaint with the Registration Agency, not later than within one hundred eighty (180) days from the date of the alleged violation.

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 the Equal Opportunity Pledge. The Registration Agency will process the complaint in accordance with Title 29 CFR 30.11

Notwithstanding the foregoing, Yakama Nation is a Tribal entity and not subject to Title VII of the Civil Rights Act of 1964; therefore, the provisions for referral to the Equal Employment Opportunity Commission or the Attorney General for enforcement of Title VII under 29 CFR 30.13 shall not apply.

Nothing in these standards shall operate to create a private right of action against Yakama Nation, Legends Casino, or any Yakama Tribal entity.

### **SECTION XXIII. - TRANSFER OF TRAINING OBLIGATION – Title 29 CFR 29.5(13)**

The Legends Casino may transfer an apprentice with his/her consent, from one employer to another, to provide continuous employment and to assure the apprentice more complete on-the-job learning experience in all aspects of the occupation.

### **SECTION XXIV. - RESPONSIBILITIES OF THE APPRENTICE**

Apprentices, having read these Standards formulated by the Legends Casino and signed an Agreement with the Casino, agree to all the terms and conditions contained therein and agree to abide by the Legends Casino's rules and policies, including any amendments, serve such time, perform such manual training, and study such subjects as the Legends Casino may deem necessary to become a skilled journey-level worker in their Trade.

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

- A. Each apprentice shall be required to exercise the same diligence in related classroom work as he/she does in on-the-job learning to perform assigned tasks in the classroom in accordance to industry standards at the job site. The determination by the Legends Casino of an apprentice's progress and fitness for the trade shall be based in part on the proficiency shown in subjects covered in the related trade instruction as well as on the job.
- B. Respect the property of the employer and abide by the policies, standards and work rules of the employer, Legends Casino.
- 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. Apprentices must have reliable/adequate transportation to and from the job site as well as Related Supplemental Instruction training classes. In the event that employment with the employer ends due to layoff or for any other reason, the apprentice is expected to continue to attend related instruction classes and be available for the next job offered by Legends Casino as soon as work is available. It is the responsibility of the apprentice to notify Legends Casino any changes in their address, phone and other contact methods on file for the apprentice are current, so that the apprentice can be contacted quickly.
- D. It shall be the apprentice's responsibility to maintain a progress record of his/her work experience/training on the job in related instruction performed in accordance with the appropriate classification schedule, and to have this record verified by his/her supervisor at the end of each week. Such records shall be forwarded to the Legends Casino apprenticeship office no later than the 10th day of the following month, after the journey-level worker that supervises the apprentice has signed them. These progress records shall include, at minimum, the apprentice's (a) name, (b) classification, (c) employer, (d) months and year of report, (e) hourly wage, and (f) a brief description of the work performed.

- E. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of others.
- F. Work for the employer to whom the apprentice is assigned for the completion of apprenticeship, unless the employer terminates the employment, the apprentice is reassigned to another employer or the Legends Casino terminates the Apprenticeship Agreement.
- G. The apprentice will be provided with a copy of these Standards and any rules or policies for apprentices that are developed by the Legends Casino to implement these Standards and will sign an acknowledgment receipt of such documents. These acknowledgments will be included in the record file maintained by Legends Casino for each apprentice. This procedure will be followed whenever amendments or modifications to such documents are adopted.
- H. An apprentice who shows advanced proficiency on-the-job due to training received prior to entrance into the apprenticeship program may be eligible for re-evaluation after serving his/her probationary period. A written request for re-evaluation must be presented to Legends Casino with adequate documentation. Adequate documentation will include both a letter of recommendation from the instructor as well as current employer. It shall be the responsibility of the apprentice to prove past experience or training.
- J. No apprentice, regardless of wages received, shall advance beyond the level of apprentice until he/she has fulfilled all of the program requirements and has been reclassified as a journey-level worker.
- K. No apprentice shall act as a foreman, contractor, or employer.
- L. Extended periods of unemployment will be construed as an unfulfilled training requirement, and the Legends Casino may place the apprentice in suspension until employment is regained or terminate the Apprenticeship Agreement.
- M. All apprentices must procure prescribed tools as advancements occur.
- P. Misconduct or failure of the apprentice to make proper progress on the job and/or related supplemental instruction shall qualify as a sufficient cause for cancellation of their Agreement by the Legends Casino.

#### **SECTION XXV. – TECHNICAL ASSISTANCE**

The Sponsor may request technical assistance from the U.S. Department of Labor, Office of Apprenticeship, and other appropriate government agencies, vocational schools, etc. The Sponsor may invite representatives from industry, education, business, private and/or public agencies to provide consultation and advice for the successful operation of this training program.

**SECTION XXVI. – AMENDMENTS AND MODIFICATIONS – Title 29 CFR 29.5(b)(17)**

These Standards are intended to consolidate in one place all policies that apply to the apprenticeship program. As policies change, these Standards may amended, modified or supplemented, including adding attachments and exhibits to these Standards, from time to time by Legends Casino; provided, that no amendment or modification adopted shall 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 XXVII. - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS:**

The Legends Casino has adopted these Standards of Apprenticeship on this 17<sup>th</sup> day of Sept., 2009.

**Signature of Sponsor Representatives:**

Ray A. Spencer  
Ray Spencer, Legends Casino

Ray Spencer  
Printed Name

Appendix A

**OCCUPATION SCHEDULE FOR: Electrician**

O\*NET/SOC CODE : 47-2111.00

RAIS CODE: 0159

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

**1. TERM OF APPRENTICESHIP**

The term of the occupation shall be **4 years** with an OJL attainment of 8,000 hours, supplemented by the required hours of related instruction.

**2. RATIO OF APPRENTICES TO JOURNEYWORKERS**

One apprentice to one journey worker. Supervision is the necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day. The sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. Apprentices will work the same hours as journey-level workers, EXCEPT where such hours may interfere with related/supplemental instruction.

**3. APPRENTICE WAGE SCHEDULE**

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current journey worker wage rate.

Step	Number of hours/months	Percentage of journey-level rate
1	0001 – 2000 hours	60%
2	2001 – 4000 hours	70 %
3	4001 – 6000 hours	80 %
4	6001 – 8000 hours	90 %

**4. SCHEDULE OF WORK EXPERIENCE**

The apprentice shall receive on the job instruction and 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.

1. General knowledge, including Application of National Fire Underwriters & all applicable electrical code requirements, safety practices, and first aid .....850

2. Residential commercial wiring installation, layout and plan reading, including illumination, signage, interface with HVAC and elevator systems.....	1000
3. General commercial wiring installation, layout and plan reading, including illumination, signage, interface with HVAC and elevator systems.....	2500
4. Industrial power installation, layout & plan reading .....	2000
5. Motors and controls .....	650
6. Special Systems including residential and commercial data telephone systems, fiber optics, fire alarm and intrusion alarm systems, intercom, clock systems, energy management systems, CCTV systems, and nurse call systems.....	1000
<b>TOTAL HOURS:</b>	<b>8000</b>

**5. SCHEDULE OF RELATED INSTRUCTION**

**Electrical Technology**

The apprentice will successfully complete the two year program at Perry Technical Institute's Electrical Technology Program offers the apprentice a diversified curriculum that guides them through the process of becoming electricians as they gain valuable theory and hands-on application. The Electrical Technology Program is 24 months in length (six trimesters). The student will earn 142.5 credit hours. There are three trimesters in an academic year.

**Program Outline**

Trimester 1

- EL 101 Applied Electrical Math
- EL 102 Safety Orientation/School Rules
- EL 103 Industrial First Aid & CPR
- EL 104 Safety Meetings
- EL 105 DC Fundamentals
- EL 106 National Electric Code/WAC Code
- EL 107 Introduction to Voltage Systems
- EL 108 Wiring Practices & Switch Hook-ups
- EL 109L Lab and Shop Projects
- 464 28.0

Trimester 2

- EL 201 AC Theory Single Phase
- EL 202 AC Motors
- EL 203 DC Motors & Generators

# OCCUPATION SCHEDULE FOR: Heating and Air-Conditioning Installer-Servicer (HVAC)

O\*NET/SOC CODE : 49-9021.01  
RAIS CODE: 0637

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

## 1. TERM OF APPRENTICESHIP

The term of the occupation shall be 4 years with an OJL attainment of 8,000 hours, supplemented by the required hours of related instruction.

## 2. RATIO OF APPRENTICES TO JOURNEYWORKERS

One apprentice to one journey worker. Supervision is the necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day. The sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. Apprentices will work the same hours as journey-level workers, EXCEPT where such hours may interfere with related/supplemental instruction.

## 3. APPRENTICE WAGE SCHEDULE

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current journey worker wage rate.

Step	Number of hours/months	Percentage of journey-level rate
1	0000 – 2000 hours	60%
2	2001 – 4000 hours	70 %
3	4001 – 6000 hours	80 %
4	6001 – 8000 hours	90 %

## 4. SCHEDULE OF WORK EXPERIENCE

The apprentice shall receive on the job instruction and 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.

Heating/Air Conditioning Installer & Servicer    APPROXIMATE HOURS

1. Equipment Replacement: Removal and replacement of existing Heating and Air-conditioning Systems or equipment, including reconnection of ductwork, wiring, testing and adjustment. ....	1000
2. Heating Equipment Adjustment, Repair and Replacement: Replacement, adjustment and repair of gas, electric and oil unit heaters, duct heaters, makeup air units, boilers, rooftops, air filtration and hot water heating systems.....	1500
3. Air Conditioning Adjustment, Repair and Replacement: Replacement, adjustment and repair condensing units evaporator coil, fan coil units, rooftop units, chillers and chilled water coils, air filtration and heat pumps. ....	2000
4. Building Control systems: Installation, replacement, repair and calibration of building environmental controls in residential and commercial buildings, including electro-mechanical, electronic and pneumatic control systems. ....	300
5. Test and Balance: Testing and balancing of water air distribution systems connected to residential and commercial heating and air conditioning systems. ....	1000
6. Hot Water, Chilled Water and Condenser Water System Replacement, adjustment or repair of pumps, heat exchanges, cooling towers, motorized valves and related piping in residential systems and commercial heating and air-conditioning systems. Training to include, cutting threading, brazing, soldering, welding, testing, insulating, and hanging pipe.....	600
7. Load Calculation and System Designs: Load calculations and design of heating and air-conditioning systems for residential and commercial heating and air-conditioning systems. ....	1000
8. Miscellaneous Equipment: Replacement, adjustment or repair of exhaust or supply air systems, air cleaners, zone dampers, special filtering devices, and odor control systems. ....	600
<b>TOTAL HOURS:</b>	
	<b>8000</b>

## **Heating, Ventilation, Air Conditioning & Refrigeration Technology Related Instruction**

The apprentice will complete the Perry Technical Institute's two-year HVAC/R Technology Program which is divided into four sections: 1) HVAC/R Fundamentals 2) Residential/Light Commercial HVAC/R 3) Commercial Refrigeration and 4) Industrial HVAC/R.

Perry Technical Institute's HVAC/R Program is approved by Washington State Department of Labor & Industries as a 06A HVAC/R Specialty Electrical Training Program. Graduates will be credited with one year (or 2,000 hours) towards the two years (or 4,000 hours) required by the State of Washington to be eligible to take the certification exam for the 06A HVAC/R Specialty Electrical License. The apprentice will earn 216 credit hours (class option) or 210.5 credit hours (externship option) which are 2,784 clock hours.

### **Program Outline**

#### Quarter 1

RE 101 Electrical & Tool Safety  
RE 102 First Aid  
RE 103 Applied Mathematics for Electricity & Electronics  
RE 104 Electrical/HVAC/R Tools & Equipment  
RE 105 Refrigerant EPA Regulations  
RE 106 The Refrigeration System, Electrical & Mechanical  
RE 107 Equipment Retrofit of Oils & Refrigeration  
RE 108 Electrical/HVAC/R Computer Software  
RE 109 Electrical Fundamentals  
RE 110 Interpreting Schematic & Ladder Diagrams  
RE 111L Silver Brazing Lab  
RE 112L Laboratory Projects/Shop Work  
348 27.5

#### Quarter 2

RE 200 The Refrigeration System, Electrical/Mechanical  
RE 201 Interpreting Schematic & Ladder Wiring Diagrams  
RE 202 Fundamentals of Electricity  
RE 203 Electric Heat Operating & Safety Controls  
RE 204L Laboratory Projects/Shop Work  
348 27.0

#### Quarter 3

RE 301 Industrial & Electrical Safety  
RE 302 Proper Use of Tools & Equipment  
RE 303 Proper Use & Handling of Refrigerants  
RE 304 Indoor Air Quality  
RE 305 Electrical Motors & Diagrams

RE 306 Controls & Theory  
RE 307 Heating & Cooling Equipment  
RE 308L Laboratory Projects/Shop Work  
RE 309L Sheet Metal Lab  
RE 310L Application of Heating & A/C Lab  
RE 311L Application of Controls Lab  
25.5

Quarter 4

RE 400 Electrical Diagrams  
RE 401 Heating & Cooling Equipment  
RE 402 Theory of Combustion  
RE 403 Psychrometrics  
RE 404L Application of Heating & A/C Lab  
RE 405 Residential Duct Design  
RE 406L Application of Controls Lab  
RE 407 Residential Load Calculations  
RE 408 Air Distribution & Balance  
RE 409 Oil Heat  
RE 410L Oil Heat Lab  
RE 411L Laboratory Projects/Shop Work  
348 24.0

Quarter 5

RE 501 WAC & NEC for HVAC  
RE 502 Commercial Systems & Components  
RE 503 Troubleshooting Commercial Systems  
RE 504 Electrical Theory, Circuits, Controls & Wiring Schematics  
RE 505 Commercial Compressors  
RE 506 Refrigerant Retrofits  
RE 507 Evaporators, Condensers & Cooling Towers  
RE 508L Laboratory Projects/Shop Work  
348 27.5

Quarter 6

RE 601 WAC & NEC for HVAC/R  
RE 602 Commercial Systems & Components  
RE 603 Electrical Theory-Circuits, Controls & Wiring Schematics  
RE 604 Heat Load & Piping Calculations for Commercial Equipment  
RE 605 Commercial Ice & Ice Cream Machines  
RE 606 Ultra-Low Temperature Systems  
RE 607 Troubleshooting Commercial Systems  
RE 608L Laboratory Projects/Shop Work  
348 28.0

**OCCUPATION SCHEDULE FOR:**  
**Wastewater Treatment Plant Operator**

O\*NET/SOC CODE : 51-8031.00  
RAIS CODE: 0507

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

**1. TERM OF APPRENTICESHIP**

The term of the occupation shall be **3 years** with an OJL attainment of 6,000 hours, supplemented by the required 432 hours of related instruction.

**2. RATIO OF APPRENTICES TO JOURNEYWORKERS**

One apprentice to one journey worker. Supervision is the necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day. The sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. Apprentices will work the same hours as journey-level workers, EXCEPT where such hours may interfere with related/supplemental instruction.

**3. APPRENTICE WAGE SCHEDULE**

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current journey worker wage rate.

Step	Number of hours/months	Percentage of journey-level rate
1	0001 – 2000 hours	60%
2	2001 – 4000 hours	70 %
3	4001 – 6000 hours	80 %

**4. SCHEDULE OF WORK EXPERIENCE**

The apprentice shall receive on the job instruction and 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.

Wastewater Treatment Plant Operator:

Approximate Hours

1. Layout of new construction and installations from engineering drawings and inspection standards .....	500
2. Installation, repairs and maintenance of metering devices .....	600
3. Installation and maintenance of main water lines, service lines and hydrants .....	1800
4. Water quality and health requirements.....	500
5. Safety meetings, care and inspection of safety equipment .....	200
6. Pump stations and reservoirs, inspections and maintenance.....	700
7. Trench safety requirements .....	100
8. Equipment operation .....	1000
9. Working with underground utilities, power, gas, phone and irrigation .....	150
10. Control valves.....	150
11. Rigging and signals .....	100
12. Computer training .....	100
13. Telemetry and communication systems .....	100

TOTAL HOURS: 6000

SCHEDULE OF RELATED INSTRUCTION

Green River Community College will provide the related instruction through the Municipal Wastewater Treatment Technology Program, and upon completion will receive a Certificate of Proficiency in Wastewater Treatment Technology.

The apprentice upon completion will have obtained 41 Credits, which equates to approximately 451 hours of related instruction. The apprentice will also attend employer sponsored in-house safety classes and appropriate vendor sponsored classes as available during work time.

Classes Include:	Credits
Fundamentals of Microcomputers	5
Fundamentals of Written Communication	5
Elementary Algebra	5
Water Hydraulics	3
Pumps and Pumping Systems	3
Utility Worker Safety	3
Disinfection and Chemical Feed Systems	3
Drawings and Manuals	3
Water and Wastewater Electrical	3
Municipal Wastewater Treatment I	3
Municipal Wastewater Treatment II	3
Wastewater Lab	2
TOTAL	41 credits = 451 Hours