



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

P.O. Box 44000 • Olympia, Washington 98504-4000

August 9, 2022

Sent via Email and US Mail

Jonathan A. DeMella
Davis Wright Tremaine LLP
920 Fifth Ave. Ste. 3300
Seattle, WA 98104
jonathandemella@dwt.com

Dismas Locaria
Venable, LLP
600 Massachusetts Ave., NW
Washington, DC 20001
dlocaria@venable.com

Eric Lawless, Assistant Attorney General
Office of the Attorney General
P.O. Box 40121
Olympia, WA 98504
Eric.Lawless@atg.wa.gov
lniolyeservice@atg.wa.gov

ACTiV – Accelerated Career Training and Innovation
Luke Hansen, Training Director
975 Carpenter Rd. NE Ste. 101
Lacey, WA 98516
Luke.Hansen@CodeSmartInc.com

Apprenti
1721 8th Avenue N.
Seattle, WA 98109
jcarlson@apprenticareers.org

William F. Henry
Assistant Attorney General
800 Fifth Avenue #2000
Seattle, WA 98104
WilliamF.Henry@atg.wa.gov

Jody Robbins
Department of Labor and Industries
Apprenticeship Section
P.O. Box 44530
Olympia, WA 98504-4530
rojo235@LNI.WA.GOV

RE: **ACTiV – Accelerated Career Training and Innovation**
Director No. 2022-018-APP

Dear Parties:

Please find enclosed the Director's Order, which is served on the date of mailing. Enclosed for your convenience is the Findings of Fact, Conclusions of Law, and Final Decision and Order of the Washington State Apprenticeship and Training Council.

Sincerely,

Joel Sacks
Director

cc: Anastasia Sandstrom, Senior Counsel

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**BEFORE THE APPRENTICESHIP AND TRAINING COUNCIL
STATE OF WASHINGTON**

In Re: ACTiV - ACCELERATED
CAREER TRAINING AND
INNOVATION

FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
FINAL DECISION AND ORDER

I. HEARING SUMMARY

This matter came before the Washington State Apprenticeship and Training Council (Council) to consider proposed revisions to the apprenticeship standards of ACTiV - Accelerated Career Training and Innovation (ACTiV). A timely objection to the proposed revisions was lodged by Apprenti. The Council confirmed Apprenti’s status as a competitor and voted to adjudicate the matter internally. *See* WAC 296-05-011(2)(c).

A hearing was held before presiding officer Ed Kommers on June 2-3, 2021. ACTiV appeared through its training director, Luke Hansen. Apprenti was represented by Jonathan DeMella from Davis Wright Tremaine LLP and Dismas Locaria from Venable LLP. The Department of Labor and Industries (Department) was represented by the Office of the Attorney General, per Eric Lawless, Assistant Attorney General.

ACTiV and the Department presented the testimony of Luke Hansen and Raymond Chew. Apprenti presented the testimony of Mark Meyer, Luke Hansen, Jennifer Carlson, Matt Austin, and Andrea Anderson.

The Council admitted ACTiV/Department Exhibits 1, 2, 3, 5, 6, 7, 8, 9, 13, 14, 15, and 17. The Council admitted Apprenti Exhibits 3, 5, 7, 9 and 11.

1 The Council, having reviewed the transcript of the proceedings, and having considered
2 the exhibits and briefing submitted by the parties, hereby enters the following Findings of Fact,
3 Conclusions of Law and Decision, which is the final order of the Council.

4 **II. FINDINGS OF FACT**

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- 6 1. ACTiV is a registered apprenticeship program in Washington. It provides
7 apprenticeship training for the occupation of Software Developer in the counties of
8 Thurston, Mason, Lewis, and Pierce. Dep't Ex. 3. The program is organized as a
9 group, nonjoint program.¹ Dep't Ex. 3 at 16. Mark Meyer is the chair of ACTiV's
10 apprenticeship committee. Tr. 10. Luke Hansen is the program's training director. Tr.
11 38. The Council granted ACTiV permanent registration status in July 2020.
- 12 2. In August 2020, ACTiV submitted a request to revise its apprenticeship standards. It
13 proposed training in two new occupations: Information Security Analyst and
14 Linux/Open Source IT System Administrator. It updated its committee to include
15 three new employee representatives. And it asked to expand the geographic area
16 covered by its standards to include King County. Dep't Ex. 1. ACTiV also filed a
17 plan for related/supplemental instruction, listing Bellevue College Continuing
18 Education as the instruction provider.² Dep't Ex. 1 at 8-18.
- 19 3. ACTiV's proposed Information Security Analyst occupation requires 2000 hours of
20 on-the-job training. The work processes for this occupational objective include: 130
21 hours dedicated to applying and practicing IT and cybersecurity fundamentals; 300
22 hours in overseeing and governing IT and cybersecurity; 300 hours in securing IT
23 systems; 300 hours in operating and maintaining IT; 300 hours in "protect & defend"
24 (a work process that includes the identification, analysis, and mitigation of
25 cybersecurity threats to internal IT systems and networks); 540 hours in analysis
26 using cybersecurity tools; and 130 hours in business and technical communications.
- 27 4. ACTiV's proposed Linux/Open Source IT System Administrator occupation is
likewise a 2000-hour training program. It includes 500 hours of on-the job training in
system administration; 500 hours of IT infrastructure management; 300 hours in "end
users and group management;" 300 hours in mail, messaging, directory, and services
collaboration; and 400 hours in helpdesk ticket management.
5. ACTiV's proposed related/supplemental instruction for the Information Security
Analyst occupation requires 540 hours of classroom and online instruction. Dep't Ex.
1 at 8-11. The proposed related/supplemental instruction plan for the IT System
Administrator occupation totals 620 hours of classroom and online instruction. Dep't
Ex. 1 at 11-18.

25 ¹ In a group, nonjoint program, the program's apprenticeship committee represents more than one employer
26 with the committee composed of an equal number of employer and employee representatives (but without a bona
fide collective bargaining agent as a participant). WAC 296-05-009(1)-(2).

27 ² Related/supplemental instruction is an organized and systematic form of instruction designed to provide
the apprentice with knowledge of the theoretical and technical subjects related to the apprentice's occupation. It may
be provided in any form approved by the Council. WAC 296-05-003 ("Related/supplemental instruction").

- 1 6. The Department performed a technical review of ACTiV's proposed apprenticeship
2 standards. The Department determined that the standards met criteria established by
RCW 49.04 and WAC 296-05.³ Dep't Ex. 2.
- 3 7. The State Board for Community and Technical Colleges (State Board) reviewed
4 ACTiV's proposed related/supplemental instruction plans. The State Board
recommended approving the related/supplemental instruction plans. Dep't Ex. 9 at 3.
- 5 8. ACTiV's proposal was placed on the Council's agenda for its October 2020 meeting,
6 and Apprenti filed a timely objection. Apprenti's objection related to the geographic
area covered by the proposed standards:

7 Geographic area. ACTiV is filing a revision request to Section I,
8 Geographic Area Covered, for expansion into King County for similar
9 occupational roles: Information Security Analyst (SOC 15-1122.00) and
10 Linux/Open Source IT System Administrator (15-1142.00). Approval of
11 this expansion would give the ACTiV program the right to engage existing
and prospective Apprenti Training Agents in King County, which is in
direct competition with already established Apprenti program Standards:
Cybersecurity Analyst (SOC 15-1122.00) and System Administrator (SOC
15-1142.00). Apprenti clearly has jurisdiction for these occupational roles.

12 Dep't Ex. 5 & 6. Apprenti identified no other objections to ACTiV's proposed
13 revisions on the form provided by the Department. *See* Dep't Ex. 5 (listing no
14 objections to "Related/Supplemental Instruction," or "Committee – Responsibilities
and Composition").

- 15 9. The Council found that Apprenti had standing as a competitor to object, and it voted
16 to adjudicate the matter internally. At the prehearing conference, the presiding officer
17 requested clarification about the basis for Apprenti's objection. Apprenti did not
18 provide additional clarification, and the language of the objection was maintained as
originally filed, with only ACTiV's expansion into King County (and Apprenti's
purported jurisdiction in that geographic area) listed as the subject of dispute. *See*
Notice of Hearing at 1. The presiding officer stated that the Council would not
prejudge the objection's merits.⁴
- 19 10. In its prehearing brief, Apprenti identified several additional bases for its objection. It
20 asserted: (1) that ACTiV's record of performance did not warrant expansion; (2) that
21 ACTiV's apprenticeship committee presented the "potential for self-dealing and
conflicts of interest;" and (3) that ACTiV failed to "meet the standard set by
Apprenti." Apprenti Prehearing Brief at 1-10.
- 22 11. ACTiV's proposed apprenticeship standards for Information Security Analyst and
23 Linux/Open Source IT System Administrator are reasonably consistent with the
standards of other approved apprenticeship standards for these occupations. Both
24 ACTiV's standards and the corresponding Apprenti standards for these occupations

25 ³ The Department's determination during its technical review is included solely for background purposes.
26 Whether apprenticeship standards meet the requirements of RCW 49.04 and WAC 296-05 are legal questions that
are solely the province of the Council. When adjudicating these issues, the Council does not defer to the
Department's technical review.

27 ⁴ Apprenti asserts that the Council determined that its objection had merit, but neither the presiding officer
nor the Council made such a determination. *See* Apprenti Prehearing Br. at 2.

1 call for 2,000 of on-the-job training.⁵ The work processes in ACTiV's proposed
2 standards and the work processes in Apprenti's corresponding standards are
3 reasonably consistent. Apprenti has not raised an objection to ACTiV's work
4 processes as written. *See* Apprenti Post-hearing Br. at 1-20.

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12. Bellevue College will provide related/supplemental instruction to ACTiV's apprentices. Raymond Chew, Director for Technical Education in the college's continuing education program, developed the plans of instruction. Mr. Chew has a bachelor's degree in instructional design and master's degrees in resource management and business administration. Tr. 165. He is currently working toward his doctorate in education. Tr. 165. Before joining Bellevue College, Mr. Chew worked in the IT industry for about 25 years. Tr. 165. He is well qualified to develop related/supplemental instruction plans for the occupations in ACTiV's apprenticeship standards.

Mr. Chew reached out to Bellevue College's academic partners, CompTIA and the Linux Foundation, when determining the course content for the related/supplemental instruction plans. Tr. 154. Like Apprenti's program, the instruction plans are "vendor agnostic," with instruction focused on industry-wide best practices and technology rather than a particular vendor. Tr. 153, 167-68, 263-64. Both ACTiV and Apprenti's instruction plans make extensive use of CompTIA, a respected industry trade group in the IT education industry. Tr. 159-60, 167-68, 263, 265. Unlike Apprenti, ACTiV will not require its apprentices to take and pass any CompTIA certification exam to graduate. Tr. 156, 265. But the coursework in the related/supplemental instruction plan will prepare apprentices to take these exams if they chose to. Tr. 156, 265.

ACTiV's proposed course content and delivery method are designed to achieve reasonably consistent skills as existing standards for the occupations of Information Security Analyst and Linux/Open Source IT System Administrator.

13. ACTiV properly structured its apprenticeship program as a group, nonjoint program. The committee represents multiple employers, including CodeSmart, AirNote, and People Tech. Tr. 18, 45. There is no indication that this committee structure presents the potential for improper self-dealing or conflicts of interest. *See* Apprenti Prehearing Br. at 6-9. Mark Meyer, the chair of ACTiV's apprenticeship committee has no ownership interest in any of these entities. Tr. 13, 18.

III. CONCLUSIONS OF LAW

1. The Council has jurisdiction over the subject matter and the parties to this action, pursuant to RCW 49.04, RCW 34.05, and WAC 296-05.
2. The Council is authorized to approve apprenticeship program standards. RCW 49.04.010. When amendments to apprenticeship program standards are proposed, the Council considers whether to approve the revised standards. *See* WAC 296-05-011. Apprenticeship standards contain "specific provisions for operation and administration of the apprenticeship program and all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices."

⁵ The Department asserts that the United States Department of Labor has approved a 2000-hour minimum requirement for apprenticeship programs training in these occupations. Dep't Post-hearing Br. at 2-3. While the Council has no reason to doubt the accuracy of this statement, because this evidence is not part of the record, the Council will not consider it.

1 WAC 296-05-003 (“Standards”). Apprenticeship standards must conform to WAC
2 296-05. RCW 49.04.050.⁶

3 3. Competitors may object to proposed amendments to apprenticeship standards. WAC
4 296-05-011(2). A “competitor” is an apprenticeship program providing training in the
5 same or similar occupation as one already existing in a certain geographic area. WAC
6 296-05-003 (“Competitor”). To properly object, the competitor must “provide timely
7 and specific objections in writing to the apprenticeship supervisor twenty calendar
8 days prior to the next regular quarterly [Council] meeting on a form provided by the
9 department.” WAC 296-05-011(2)(a).

10 4. Apprenti’s objection was limited to the geographic area covered by ACTiV’s
11 proposed standards. It contended that Apprenti had “jurisdiction for these
12 occupational roles” in King County, apparently asserting an exclusive right to train
13 Information Security Analyst and IT System Administrator apprentices within this
14 region. Dep’t Ex. 5 & 6. The apprenticeship rules, however, do not limit where an
15 apprenticeship program chooses to operate. Nor do they grant any exclusive
16 jurisdiction for a particular program to train within an occupation. Rather, “[t]he
17 Council allows apprenticeship program sponsors to choose the regions in which they
18 operate their programs.” *W. Wash. Operating Eng’rs Apprenticeship Comm. v. Wash.
19 State Apprenticeship & Training Council*, 130 Wn. App. 510, 526, 123 P.3d 533
20 (2005). Because there is no statutory or regulatory requirement that a sponsor’s
21 programs be limited to a certain geographic area, a challenge to the scope of a
22 program’s geographic area, standing alone, will fail. *Seattle Area Plumbers v. Wash.
23 State Apprenticeship & Training Council*, 131 Wn. App. 862, 873, 129 P.3d 838
24 (2006).

25 Insofar as Apprenti challenges ACTiV’s geographic expansion based on the mere
26 existence of its own program in the region, its objection fails.

27 5. Nevertheless, Apprenti argues that ACTiV’s record of performance does not warrant
expansion into King County. Pointing to ACTiV’s recruitment numbers in 2020, it
argues that these performance statistics show that “ACTiV cannot and will not
successfully implement its proposed standards [in] King County.” Apprenti
Prehearing Br. at 5. But even were the Council to accept ACTiV’s 2020 recruitment
numbers as reasonable predictors of future success (which, particularly given
COVID-19 pandemic, it does not), this is a compliance issue that falls beyond the
scope of the Council’s review when amendments to standards are proposed. The
Department’s apprenticeship section conducts regular compliance reviews of a
program’s operation, including on-site visits and performance reviews. WAC 296-05-
109(1). If ACTiV is unable to recruit and graduate apprentices in sufficient number,
the Council may begin proceedings to cancel the program’s registration. *See* WAC
296-05-109(4)(a). But Apprenti’s speculation about ACTiV’s inability to recruit and
train apprentices in King County provides no basis for rejecting the proposed
standards.

⁶ A request for Council approval of apprenticeship standards is an application for a license under the
Administrative Procedure Act (APA). *See Seattle Building and Constr. Trades Council v. CITC*, 129 Wn.2d 787,
804 (1996). A license applicant bears the burden of proving compliance with statutory and regulatory requirements
for a license. *Black Ball Freight Service, Inc. v. Wash. Utilities and Transp. Comm’n*, 74 Wn.2d 871, 875 (1968).

⁷ This opinion’s reference to “the need for an apprenticeship program” in a geographic region is no longer
the law. *See Seattle Area Plumbers*, 131 Wn. App. at 873 (citing former WAC 296-05-316(2)(c)). Under the current
apprenticeship rules, apprenticeship programs are generally free to choose the geographic areas where they operate.
See WAC 296-05.

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6. Nor will ACTiV's proposed expansion result in a lack of reasonable consistency between its apprenticeship standards and other approved standards for these occupations. Under WAC 296-05-015, "[p]roposed standards must be reasonably consistent with existing standards in the trade or occupation." But there is no requirement that standards for a given occupation be identical. Instead, the goal is to achieve "general statewide uniformity of standards in each industry occupation." WAC 296-05-015(25). Because the hourly requirements, work processes, and instructional hours of ACTiV's standards and Apprenti's previously-approved standards are largely the same, ACTiV's apprenticeship standards are reasonably consistent with existing standards.⁸

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7. Apprenti raises several new issues not identified in its objection (or at the prehearing conference). In general, an objecting competitor must provide "timely and specific objections in writing . . . on a form provided by the department." WAC 296-05-011(2)(a). While the Council allows some latitude regarding the scope of litigation, it will not consider issues that are not reasonably connected to a party's initial objection unless the issue could not have been discovered before the objection was filed.

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Here, Apprenti's objection made no reference to ACTiV's proposed related/supplemental instruction plan or the program's committee composition, leaving blank these sections on the Department-provided form. Dep't Ex. 5. Both ACTiV's proposed committee members and its related/supplemental instruction plan were available to Apprenti as posted with the Council's agenda, and Apprenti could have discovered the majority of issues it now raises before filing its objection. Because Apprenti did not provide specific objections to these aspects of ACTiV's proposed revisions before the Council's meeting, the Council will not consider them.

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8. Even if the Council were to consider Apprenti's arguments about ACTiV's committee structure and membership, it would reject them. Contrary to Apprenti's contentions, ACTiV's apprenticeship program is properly structured as a group, nonjoint program where the committee represents multiple employers, including CodeSmart, AirNote, and People Tech. Tr. 18, 45. There is likewise no indication that the committee presents the potential for improper self-dealing or conflicts of interest. *See* Apprenti Prehearing Br. at 6-9. Mark Meyer, the chair of ACTiV's apprenticeship committee, has no ownership interest in any of these entities. Tr. 13, 18. Similarly, it is irrelevant that Bellevue College will both provide related/supplemental instruction and pay a portion of Mr. Hansen's salary. While Apprenti suggests some impropriety, nothing in the apprenticeship rules prevents this arrangement, and Apprenti fails to demonstrate why it would harm apprentices. *See* Apprenti Post-hearing Br. at 2-3, 6.

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9. Apprenti points to changes in ACTiV's apprenticeship committee after ACTiV filed its revision of standards, arguing that the Council must disapprove the standards because "the Committee is not set or established, and individuals on the Committee do not have expertise or experience in the two occupations that ACTiV is seeking to have approved." Apprenti Post-Hearing Br. at 5. These subsequent committee membership changes, however, provide no basis for rejecting ACTiV's proposed standards. The

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⁸ The size of ACTiV's program has no bearing on the reasonable consistency of its standards. Apprenti argues that ACTiV's proposed standards must "meet or exceed the material existing performance standards in the same geographic location for the same occupational objectives," noting its large number of current apprentices, training agents, and graduates. *See* Apprenti Post-hearing Br. at 17, 20. But the apprenticeship rules do not reference these performance measures. So long as proposed standards meet the requirements of WAC 296-05 and RCW 49.04, the Council will approve the standards. *See* WAC 296-05-011(1)(a).

1 Council assesses committee membership as listed in proposed standards, not as changes
2 arise in real time. The Council will assess any subsequent changes to ACTiV's
3 committee when ACTiV either again seeks to revise its standards or undergoes a
4 compliance review. At that time, ACTiV must demonstrate that its new committee
5 members meet the qualification requirements of WAC 296-05-009(3). But in this
6 matter, the Council's review is limited to assessing the committee members listed in the
7 proposed revisions. Because Apprenti did not object to the qualifications of these
8 proposed committee members, the Council will not consider this issue.⁹

- 9 10. Similarly, while the Council need not consider Apprenti's untimely objection to
10 ACTiV's proposed related/supplemental instruction plans, it perceives no defect in
11 these plans. Under WAC 296-05-015(25), a program's "course content and delivery
12 method must be designed to achieve reasonably consistent skills as existing standards
13 within the state for that industry occupation." This inquiry is limited to the program's
14 design as represented in its standards, not actual practice. *W. Wash. Operating Eng's
15 Apprenticeship Comm. v. Wash. State Apprenticeship & Training Council*, 144 Wn.
16 App. 145, 165, 190 P.3d 506 (2008). The Council may approve apprentice
17 related/supplemental instruction based on recommendations from the State Board for
18 Community and Technical Colleges. WAC 296-05-011(1)(f).

19 Here, the State Board reviewed ACTiV's proposed related supplemental instruction
20 plans and recommended that the Council approve those plans. Both the course content
21 and delivery method—as developed by Bellevue College—are designed to achieve
22 reasonably consistent skills as existing standards for the occupations of Information
23 Security Analyst and Linux/Open Source IT System Administrator. The
24 related/supplemental instruction plans meet the requirements of the apprenticeship rules

- 25 11. ACTiV's proposed revisions to its apprenticeship standards meet the requirements of
26 RCW 49.04 and WAC 296-05.

27 **IV. DECISION AND ORDER**

Based on the foregoing findings of fact and conclusions of law, the request for revision of standards is APPROVED.

It is so ORDERED.

DATED this 12th day of October 2021.



ED KOMMERS, Chair
Washington State
Apprenticeship and Training Council

⁹ In fact, there was no testimony regarding the qualifications of the committee members listed in the proposed standards.

APPEAL RIGHTS

This Order was served on you the day it was transmitted electronically. RCW 34.05.010(19).

Appeal. Any party may appeal this Order to the Director of the Department of Labor and Industries by filing a notice of appeal, together with any argument in support thereof, with the Director within thirty (30) days of service of this Order. If this Order is not appealed within thirty (30) days, it is final and binding, and not subject to further appeal. *See* RCW 49.04.065.

A notice of appeal should be filed by mailing it to Joel Sacks, Director of the Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, or by delivery and receipt at the Department of Labor and Industries, 7273 Linderson Way SW, Tumwater, WA 98501, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Director's office. RCW 34.05.010(6). A copy shall also be sent to William F. Henry, Assistant Attorney General, Counsel for WSATC, 800 Fifth Ave., Ste. 2000, Seattle, WA 98104.

Upon receipt of a notice of appeal, the Director or her designee shall review the record created by the Washington State Apprenticeship and Training Council and shall issue a written determination including his or her findings. A judicial appeal from the Director's determination may be taken in accordance with RCW 34.05.

Orders that are not appealed within the time period specified in this section and RCW 34.05 are final and binding, and not subject to further appeal. *See* RCW 49.04.065.

1 This Order was served on you the day it was transmitted electronically. RCW 34.05.010(19).

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3 **Certificate of Mailing**

4 I, Kristen Harris, certify under penalty of perjury under the laws of the State of
5 Washington that I caused to be served via electronic service by e-mail (except as otherwise
6 indicated) to the following:

7 ACTIV – Accelerated Career
8 Training and Innovation
9 Luke Hansen, Training Director
10 975 Carpenter Rd. NE Ste. 101
11 Lacey, WA 98516
12 360-208-0560 Phone
360-915-7014 Fax
Luke.Hansen@CodeSmartInc.com
Sponsor

No Attorney for Sponsor

13 Apprenti (1982)
14 1721 8th Avenue N.
15 Seattle, WA 98109
206-448-3033 Phone
16 Jennifer Carlson
jcarlson@apprenticareers.org
17 Andrea Anderson
aanderson@apprenticareers.org
Objector

Dismas Locaria
Venable, LLP
600 Massachusetts Ave., NW
Washington, DC 20001
dlocaria@Venable.com
Attorney for Objector

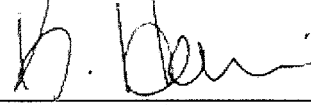
18 Chris Bowe
19 Department of Labor and Industries
20 PO Box 44530
Olympia, WA 98504-4530
christopher.bowe@lni.wa.gov
Council Secretary

Jonathan DeMella
Davis Wright Tremaine, LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1610
jonathandemella@dwt.com
JenniferGreen@dwt.com
Attorney for Objector

21
22
23 WSATC Members (by e-mail)

Eric Lawless, Assistant Attorney General
Office of the Attorney General
Labor & Industries Division
PO Box 40121
Olympia, WA 98504
Eric.Lawless@atg.wa.gov
LIOLyCE@ATG.WA.GOV
Counsel for Apprenticeship Section

1 DATED this 12th day of October, 2021 at Seattle, King County, Washington.
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4 KRISTEN HARRIS, Legal Assistant
5 Attorney General's Office
6 E: kristen.harris@atg.wa.gov
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**DIRECTOR OF THE DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON**

In re:

ACTIV – ACCELERATED CAREER
TRAINING AND INNOVATION

NO. 2022-018-APP

DIRECTOR’S ORDER

Joel Sacks, Director of the Washington State Department of Labor and Industries, having considered the Findings of Fact, Conclusions of Law, and Final Decision and Order of the Washington State Apprenticeship and Training Council (Council) decided on October 21, 2021, the appeal submitted by Apprenti, briefing submitted by the parties, and the record created by the Council, issues this Director’s Order.

The Director makes the following Findings of Fact, Conclusions of Law, and Final Order.

I. FINDINGS OF FACT

1. Apprenti timely filed a petition for administrative review to the Director of the Council’s October 21, 2022 Order.
2. The Director adopts and incorporates by reference the Council’s findings of facts 1-13, except for footnote 3.

II. CONCLUSIONS OF LAW


1. Based on the fact Apprenti timely filed a petition for administrative review, the Director has authority to consider this appeal.

2. The Director adopts and incorporates by reference the Council's conclusions of law 1-11.
3. Consistent with conclusion of law no. 5, Apprenti's newly offered evidence about the number of apprentices ACTiV's program has is not before the Director.
4. Although Apprenti raised a number of issues previously, the sole argument before the Director is the geographic area argument.

III. DECISION AND ORDER

Consistent with the above Findings of Fact and Conclusions of Law, the October 21, 2021 order is AFFIRMED and is incorporated by reference.

DATED at Tumwater this 9th day of August 2022.



JOEL SACKS
Director

SERVICE

This Order was served on you the day it was deposited in the United States mail.
RCW 34.05.010(19).

APPEAL RIGHTS

Reconsideration. Any party may petition for reconsideration. RCW 34.05.470. Any petition for reconsideration must be filed within 10 days of service of this Order and must state the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by emailing it to directorappeal@lni.wa.gov or by mailing or delivering it directly to Joel Sacks, Director of the Department of Labor and Industries, P. O. Box 44001 Olympia, Washington 98504-4001, with a copy to all other parties of record. Filing means actual receipt of the document at the Director's Office. RCW 34.05.010(6).

A petition for reconsideration is not required before seeking judicial review. If a petition for reconsideration is filed, however, the 30-day period will begin to run upon the resolution of that petition. A timely filed petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the Director does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which the Director will act on the petition. RCW 34.05.470(3).

Judicial Review. Any petition for judicial review must be filed with the appropriate court and served within 30 days after service of this Order. RCW 34.05.542. RCW 49.04.065(3) provides, "Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal." Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in RCW 34.05, Part V, Judicial Review and Civil Enforcement.

DECLARATION OF MAILING

I, Lisa Deck, declare under penalty of perjury under the laws of the State of Washington that the Director's order was sent via email and U.S. Mail, postage pre-paid, on the 9th day of August 2022 to the following:

William F. Henry
Assistant Attorney General
800 Fifth Avenue #2000
Seattle, WA 98104
WilliamF.Henry@atg.wa.gov

ACTiV – Accelerated Career Training and
Innovation
Luke Hansen, Training Director
975 Carpenter Road, Ste. 101
Lacey, WA 98516
Luke.Hansent@CodeSmartInc.com

Eric Lawless, Assistant Attorney General
Office of the Attorney General
Labor & Industries Division
PO Box 40121
Olympia, WA 98504
Eric.Lawless@atg.wa.gov
LIolyCE@atg.wa.gov

Apprenti
1721 8th Avenue N.
Seattle, WA 98109
jcarlson@apprenticareers.org

Dismas Locaria
Venable, LLP
600 Massachusetts Ave., NW
Washington, DC 20001
dlocaria@venable.com

Jody Robbins
Department of Labor and Industries
Apprenticeship Section
P.O. Box 44530
Olympia, WA 98504-4530
rojo235@LNI.WA.GOV

Jonathan A. DeMella
Davis Wright Tremaine LLP
920 Fifth Avenue Suite 3300
Seattle, WA 98104

DATED this 9th day of August, at Tumwater, Washington.

Lisa Deck
LISA DECK _____