



APPRENTICESHIP PROGRAM STANDARDS

adopted by

INLAND NORTHWEST CHAPTER ASSOCIATED GENERAL CONTRACTORS OPERATORS AC

(sponsor name)

Occupational Objective(s):

SOC#

Term [WAC 296-05-015]

CONSTRUCTION EQUIPMENT OPERATOR

47-2073.00

6000 HOURS



APPROVED BY

Washington State Apprenticeship and Training Council

REGISTERED WITH

Apprenticeship Section of Fraud Prevention and Labor Standards

Washington State Department Labor and Industries

Post Office Box 44530

Olympia, Washington 98504-4530

APPROVAL:

N/A

Provisional Registration

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JANUARY 20, 1995

Permanent Registration

By: MARK RIKER

Chair of Council

By: CELESTE MONAHAN

Secretary of Council

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INTRODUCTION

This document is an apprenticeship program standard. Apprenticeship program standards govern how an apprenticeship works and have specific requirements. This document will explain the requirements.

The director of the Department of Labor and Industries (L&I) appoints the Washington State Apprenticeship and Training Council (WSATC) to regulate apprenticeship program standards. The director appoints and deputizes an assistant director to be known as the supervisor of apprenticeship who oversees administrative functions through the apprenticeship section at the department.

The WSATC is the sole regulatory body for apprenticeship standards in Washington. It approves, administers, and enforces apprenticeship standards, and recognizes apprentices when either registered with L&I's apprenticeship section, or under the terms and conditions of a reciprocal agreement. WSATC also must approve any changes to apprenticeship program standards.

Apprenticeship programs have sponsors. A sponsor operates an apprenticeship program and declares their purpose and policy herein to establish an organized system of registered apprenticeship education and training. The sponsor recognizes WSATC authority to regulate and will submit a revision request to the WSATC when making changes to an apprenticeship program standard.

Apprenticeships are governed by federal law (29 U.S.C 50), federal regulations (29 CFR Part 29 & 30), state law (49.04 RCW) and administrative rules (WAC 296-05). These standards conform to all of the above and are read together with federal and state laws and rules

Standards are changed with WSATC approval. Changes are binding on apprentices, sponsors, training agents, and anyone else working under an agreement governed by the standards. Sponsors may have to maintain additional information as supplemental to these standards. When a standard is changed, sponsors are required to notify apprentices and training agents. If changes in federal or state law make any part of these standards illegal, the remaining parts are still valid and remain in force. Only the part made illegal by changes in law is invalid. L&I and the WSATC may cooperate to make corrections to the standards if necessary to administer the standards.

Sections of these standards identified as bold "insert text" fields are specific to the individual program standards and may be modified by a sponsor submitting a revised standard for approval by the WSATC. All other sections of these standards are boilerplate and may only be modified by the WSATC. See WAC 296-05-003 for the definitions necessary for use with these standards.

Sponsor Introductory Statement (Required):

The following Apprenticeship Standards have been prepared by representatives of the Inland Northwest Chapter Associated General Contractors, Spokane, Washington, with

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the assistance of the Department of Labor and Industries Apprenticeship Section. When approved by and registered with the Registration Agency, these standards shall govern the training of operator apprentices in this industry.

I. GEOGRAPHIC AREA COVERED:

The sponsor must train inside the area covered by these standards. If the sponsor wants to train outside the area covered by these standards, the sponsor must enter a portability agreement with a sponsor outside the area, and provide evidence of such an agreement for compliance purposes. Portability agreements permit training agents to use apprentices outside the area covered by the standards. Portability agreements are governed by WAC 296-05-009.

The area covered by these Standards shall be the State of Washington.

For the purposes of these standards, Region I (Western Washington), Region II (Eastern Washington), Region III (Southwestern Washington), and Region IV (Central Washington) contain the following counties:

Region I: San Juan, Island, Kitsap, Whatcom, Skagit, Snohomish, King, Pierce, Lewis, Pacific, Thurston, Grays Harbor, Mason, Jefferson, and Clallam.

Region II: Ferry, Stevens, Pend Oreille, Lincoln, Spokane, Adams, Whitman, Franklin, Walla Walla, Columbia, Garfield, and Asotin.

Region III: Wahkiakum, Cowlitz, Skamania, Clark, and Klickitat

Region IV: Okanogan, Chelan, Douglas, Kittitas, Grant, Yakima, and Benton.

II. MINIMUM QUALIFICATIONS:

Minimum qualifications must be clearly stated and applied in a nondiscriminatory manner [WAC 296-05-015(17)].

Age: **Not less than eighteen (18) years of age**

Education: **Be a High school graduate or have a G.E.D.**

Physical: **Must be able to meet the physical requirements of the trade with or without accommodation and without endangering the safety of him/herself and others on the worksite. A Job Analysis will be provided with the application outlining the physical requirements.**

Testing: **None**

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Other: **All applicants must be able to read, write and speak the English language as evidenced by receiving, completing, and returning a legible application to the sponsor.**

All applicants must have a current valid driver license.

All applicants shall submit to the Apprenticeship Office and/or Committee representative a copy of their current valid driver license, I-9 Employment Verification Documents, and the documentation/transcript validation High School Completion or the equivalent.

III. CONDUCT OF PROGRAM UNDER WASHINGTON EQUAL EMPLOYMENT OPPORTUNITY PLAN:

Sponsors with five (5) or more apprentices must adopt an Equal Employment Opportunity (EEO) Plan and Selection Procedure (chapter 296-05 WAC and 29 CFR Part 30).

The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, sex (including pregnancy and gender identity), sexual orientation, color, religion, national origin, age, genetic information, disability or as otherwise specified by law. The sponsor shall take positive action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington State Apprenticeship and Training Council and Title 29, Part 30 of the Code of Federal Regulations.

A. Selection Procedures:

All applicants will, at their expense, take and pass a drug test with negative findings prior to registration as an apprentice. This procedure includes direct entry individuals. The drug test shall be conducted by an Apprenticeship Committee and/or Training Agent approved lab. The testing fee will be applied to apprentice tuition if the results are demonstrated as negative.

- 1. Applications will be available on year around basis, to all interested individuals at Inland Northwest Chapter Associated General Contractors Operators AC office at North 2110 Fancher, Spokane Valley, WA 99212, Monday through Friday, 9:30 AM to 3:00 PM excluding Federal and state holidays.**

Applications are also available on line at <http://www.nwagcapprenticeship.org>.

For applicants residing in Regions I, III, and IV: Applications may be obtained by calling (509)534-0502 or on-line at nwagcapprenticeship.org. All

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applications submitted must have original signature of the applicant. Applications may be hand delivered, delivered via US Mail or other courier. The application must be sent to: Inland NW AGC Apprenticeship, PO Box 11901, Spokane Valley, WA. 99211. Faxed and/or e-mailed applications will be accepted. The fax number is 509-534-0503, email to info@nwagcapprenticeship.org.

2. Applicants shall provide a copy of their Social Security card and valid Driver License as part of the completed application.
3. Completed applications are valid and on file at the apprenticeship office until the applicant is interviewed.
4. All applicants submitting a completed application shall be notified by letter of opportunity to be interviewed by the apprenticeship committee.
5. All qualifying applicants shall be scored and ranked by the apprenticeship committee and/or committee representatives using an objective interview system. All applicants will be asked identical questions by the committee.
6. The applicant will be graded in terms of overall judgment as to one likely to complete the apprenticeship program and become a successful journey level worker.
7. After interviews, all qualified applicants shall be placed in the Ranked Eligibility Pool, subject to selection for a period of two years.
8. Ranked qualified applicants will be offered employment based on order of their rank in eligibility pool.

The Apprenticeship Committee will maintain Ready-to-Dispatch Lists and Out-of-Work Lists for four separate geographical areas.

Region I: San Juan, Island, Kitsap, Whatcom, Skagit, Snohomish, King, Pierce, Lewis, Pacific, Thurston, Grays Harbor, Mason, Jefferson, and Clallam.

Region II: Ferry, Stevens, Pend Oreille, Lincoln, Spokane, Adams, Whitman, Franklin, Walla Walla, Columbia, Garfield, and Asotin.

Region III: Wahkiakum, Cowlitz, Skamania, Clark, and Klickitat

Region IV: Okanogan, Chelan, Douglas, Kittitas, Grant, Yakima, and Benton.

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9. If the ranked qualified applicant fails to respond to an apprenticeship job assignment, the Training Director will notify the individual of their removal from the Ranked Eligibility Pool list.
10. The Training Director is authorized to pierce the Ranked Eligibility List in order to meet Equal Opportunity Employment requirements and/or Apprentice Utilization Requirements.
11. It shall be the responsibility of the applicant and/or qualified ranked applicant to notify the INWC AGC Operators AC Training Director of any change of address and phone number for contact purposes.
12. INWC AGC Operators Training Agents shall incorporate their conditions of employment with applicants. This may include providing proof of dependable transportation to all assigned work sites and/or valid proof of vehicle insurance.
13. Applicants with previous experience or training in the trade may request to have previous hours accounted toward their apprenticeship certification. Each new individual case would come before the Apprenticeship committee for review, and recommendation.

EXCEPTIONS:

14. Graduates of committee approved preparatory training, i.e. Job Corp, ANEW, AmeriCorp, and Helmets to Hardhats, and/or WSATC recognized pre-apprenticeship programs, i.e. Skilled Trades Preparation, and Head Start to the Construction Trades, may be selected directly into available apprenticeship openings without regard to eligibility lists provided the applicant meets Section II. Minimum Qualifications.
15. An employee of an employer not qualifying as a journey-level worker becomes a training agent, he/she shall be evaluated by the apprenticeship program using constant standard nondiscriminatory means and registered at the appropriate period of apprenticeship based on previous work experience and related training.

B. Equal Employment Opportunity Plan:

Our positive outreach and recruitment activities are as follows:

1. Distribute information throughout Washington State about the nature of apprenticeship programs, program admission requirements, current apprenticeship opportunities, sources of apprenticeship applications, and the equal opportunity policy of the sponsor. This information is distributed at least semiannually as the program accepts applications throughout the year.

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This information is distributed to the WSATC and the following: schools affiliated with Career Technical Education, Employment Security Department offices, Veteran, minority, and women's centers, WSATC recognized pre-apprenticeship programs, outreach programs, and community based organizations serving disadvantaged youth, minorities and women, minority or otherwise. Information will be published in newspapers circulated in the minority community and among women organizations and within the locality the program sponsor operates.

- 2. Participate in workshops conducted by employment service agencies, school districts and community based organizations to increase apprenticeship program awareness of apprenticeship opportunities.**
- 3. Work with local school districts, vocational education systems, and school employees to develop programs for preparing students to meet the standards and criteria required to qualify for entry into apprenticeship programs.**
- 4. Participate in outreach programs whose focus is the recruitment and preparation of minority and female apprenticeship applicants.**
- 5. Granting to all applicants, without prejudice, advance standing or credit for previously acquired experience, training, skills, or aptitude.**

C. Discrimination Complaints:

Any apprentice or applicant for apprenticeship who believes they have been discriminated against may file a complaint with the supervisor of apprenticeship (WAC 296-05-443).

IV. TERM OF APPRENTICESHIP:

The term of apprenticeship for an individual apprentice may be measured through the completion of the industry standard for on-the-job learning (at least two thousand hours) (time-based approach), the attainment of competency (competency-based approach), or a blend of the time-based and competency-based approaches (hybrid approach) [WAC 296-05-015].

The term of apprenticeship shall be 6,000 hours of reasonably continuous employment, and shall include the initial probationary period.

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V. INITIAL PROBATIONARY PERIOD:

An initial probationary period applies to all apprentices, unless the apprentice has transferred from another program. During an initial probationary period, an apprentice can be discharged without appeal rights. An initial probationary period is stated in hours or competency steps of employment. The initial probationary period is not reduced by advanced credit or standing. During an initial probationary period, apprentices receive full credit for hours and competency steps toward completion of their apprenticeship. Transferred apprentices are not subject to additional initial probationary periods [WAC 296-05-003].

The initial probationary period is [WAC 296-05-015(22)]:

- A. the period following the apprentice's registration into the program. An initial probationary period must not be longer than twenty percent of the term of the entire apprenticeship, or longer than a year from the date the apprenticeship is registered. The WSATC can grant exemptions for longer initial probationary periods if required by law.
- B. the period in which the WSATC or the supervisor of apprenticeship may terminate an apprenticeship agreement at the written request by any affected party. The sponsor or the apprentice may terminate the agreement without a hearing or stated cause. An appeal process is not available to apprentices in their initial probationary period.

The initial probationary period for apprentice operators shall be the first 1200 hours of employment or one year from the date of registration, whichever occurs first.

During the initial probationary period, the apprenticeship registration may be canceled by either party without the formality of a hearing. The Registration Agency shall be notified of individual's status, effective date, verified total hours accrued and cancellation.

VI. RATIO OF APPRENTICES TO JOURNEY LEVEL WORKERS

Supervision is the necessary education, assistance, and control provided by a journey-level employee on the same job site at least seventy-five percent of each working day, unless otherwise approved by the WSATC. Sponsors ensure apprentices are supervised by competent, qualified journey-level employees. Journey level-employees are responsible for the work apprentices perform, in order to promote the safety, health, and education of the apprentice.

- A. The journey-level employee must be of the same apprenticeable occupation as the apprentice they are supervising unless otherwise allowed by the Revised Code of

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Washington (RCW) or the Washington Administrative Code (WAC) and approved by the WSATC.

- B. The numeric ratio of apprentices to journey-level employees may not exceed one apprentice per journey-level worker [WAC 296-05-015(5)].
- C. Apprentices will work the same hours as journey-level workers, except when such hours may interfere with related/supplemental instruction.
- D. Any variance to the rules and/or policies stated in this section must be approved by the WSATC.
- E. The ratio must be described in a specific and clear manner, as to the application in terms of job site, work group, department or plant:

Each employer may employ one (1) apprentice for each journey-level operator employed per job site.

VII. APPRENTICE WAGES AND WAGE PROGRESSION:

- A. Apprentices must be paid at least Washington's minimum wage, unless a local ordinance or a collective bargaining agreement require a higher wage. Apprentices must be paid according to a progressively increasing wage scale. The wage scale for apprentices is based on the specified journey-level wage for their occupation. Wage increases are based on hours worked or competencies attained. The sponsor determines wage increases. Sponsors must submit the journey-level wage at least annually or whenever changed to the department as an addendum to these standards. Journey-level wage reports may be submitted on a form provided by the department. Apprentices and others should contact the sponsor or the Department for the most recent Journey-level wage rate.
- B. Sponsors can grant advanced standing, and grant a wage increase, when apprentices demonstrate abilities and mastery of their occupation. When advanced standing is granted, the sponsor notifies the employer/training agent of the wage increase the apprenticeship program standard requires.
- C. Wage Progression Schedule

Construction Equipment Operator

The Journey-Level Operator wage rate will be the average Journey-Level Operator wage rate for all the employers participating in the INW AGC Operator apprenticeship program. Once each year, all participating employers will be surveyed for the average wage rate of their Journey-Level Operators performing non-prevailing wage work. The wage rates will be averaged to determine the minimum Journey-Level Operator wage rate for the INW AGC Operator

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apprenticeship program. Employers reserve the right to pay apprentices more than the wage determined by this average wage, but they may not pay less.

Step	Hour Range or competency step	Percentage of journey-level wage rate*
1	0000 - 1000 hours OJT hours and 80 total hours of RSI	65%
2	1001 - 2000 hours OJT hours and 160 total hours of RSI	70%
3	2001 - 3000 hours OJT hours and 240 total hours of RSI	75%
4	3001 - 4000 hours OJT hours and 320 total hours of RSI	80%
5	4001 - 5000 hours OJT hours and 480 total hours of RSI	85%
6	5001 - 6000 hours OJT hours and 560 total hours of RSI	90%
Complete	6000 OJT hours and 640 total hours of RSI	100%

Wage progression is dependent on the apprentice completing applicable required amount of OJT hours AND completing the required amount of RSI hours.

VIII. WORK PROCESSES:

The apprentice shall receive on the job instruction and work 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. The following work process descriptions pertain to the occupation being defined.

A. Construction Equipment Operators Approximate Hours/Competency Level

1. Track type equipment 1500
(Which shall include the following training categories)
 - a. Dozers
 - b. Pushcarts
 - c. Track type loaders
 - d. Track type backhoes
 - e. Track type paving machines concrete and asphalt
 - f. Track type trenching equipment
 - g. Screeds

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To include all attachments and support equipment: Lubrication,
grades and stakes, signals, soils, and compaction.

2. Rubber tire type equipment1500
(Which shall include the following training categories)
- a. Scrapers
 - b. Rubber tire loaders
 - c. Motor graders
 - d. Truck-tractor and trailers
 - e. Rubber tire dozers
 - f. Rubber tire backhoes
 - g. Rubber tired asphalt, dirt and/or any compactor roller
 - h. Combination backhoe-loaders
 - i. Rubber tire trenchers
 - j. Rubber tired paving machines
 - k. Brooms

To include all attachments and support equipment: Lubrication,
grades, and stakes, signals, soils and compaction.

3. Hoisting type equipment1500
(Which shall include the following training categories)
- a. Cranes - all (including draglines, clam shells, & pile drivers)
 - b. Tower cranes
 - c. A-frames
 - d. Fork lifts
 - e. Pavement breakers
 - f. Other self propelled boom type lifting devices

To include all attachments and support equipment: Lubrication
grades, and stakes, signals, soils and compaction.

4. Stationary and miscellaneous type equipment1500
(Which shall include the following training categories)
- a. All asphalt plants
 - b. Crusher plants
 - c. Washing and screening plants
 - d. Concrete plants and supportive equipment
 - e. Concrete pumps
 - f. Concrete saws
 - g. Set up-tear down, welding, cutting, fabrication
 - h. Lubrication and preventative maintenance
 - i. Power generating plants

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To include all attachments and support equipment: Set up, tear down, lubrication, and preventative maintenance, grades and stakes, signals, soils and compaction

TOTAL HOURS: 6000

IX. RELATED/SUPPLEMENTAL INSTRUCTION:

The apprentice must attend related/supplemental instruction (RSI). Time spent in RSI shall not be considered as hours of work and the apprentice is not required to be paid.

RSI must be provided in safe and healthy conditions as required by the Washington Industrial Safety and Health Act and applicable federal and state regulations.

Hours spent in RSI are reported to L&I each quarter. Reports must show which hours are unpaid and supervised by a competent instructor versus all other hours (paid and/or unsupervised) for industrial insurance purposes.

For purposes of coverage under the Industrial Insurance Act, the WSATC is an employer and the apprentice is an employee when an unpaid, supervised apprentice is injured while under the direction of a competent instructor and participating in RSI activities.

If apprentices do not attend required RSI, they may be subject to disciplinary action by the sponsor.

A. The methods of related/supplemental training must be indicated below (check those that apply):

☒ Supervised field trips

☒ Sponsor approved training seminars: **Would include, but not limited to, OSHA 10, First Aid/CPR and other courses approved by the Committee.**

☒ Sponsor approved online or distance learning courses: **Would include, but not limited to, National Center for Construction Education & Research Contren Connect and other courses approved by the Committee.**

☒ State Community/Technical college: **Spokane Community College**

☐ Private Technical/Vocational college

☐ Sponsor Provided (lab/classroom)

☒ Other (specify): **Associated General Contractors Education Center**

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B. **160** Minimum RSI hours per year defined per the following [see WAC 296-05-015(6)]:

- ☒ (X) Twelve-month period from date of registration.*
- ☐ () Defined twelve-month school year: **(insert month)** through **(insert month)**.
- ☐ () Two-thousand hours of on the job training.

**If no selection is indicated above, the WSATC will define RSI hours per twelve-month period from date of registration.*

C. Additional Information:

- 1. Each apprentice shall complete the 160 hours of related training per year.**
- 2. The Apprenticeship Committee recommends that the courses for apprenticeship be limited to those who are actually apprentices to the trade in accordance with these Standards.**
- 3. Apprentices shall not be allowed more than three (3) unexcused absences per instructional calendar year. An excused absence is the Apprentice working with a written excuse from the employer, or the Apprentice sick with a written excuse from the doctor. Disciplinary action shall be an explanation to the Joint Apprenticeship Training Committee of why Apprentice could not attend. Such disciplinary action may result in probation, suspension, or cancellation of the Apprenticeship Agreement.**
- 4. In the event an apprentice has completed all of their RSI but has less than the required OJT, the apprentice will not be required to attend further classes unless otherwise directed by the committee.**

X. ADMINISTRATIVE/DISCIPLINARY PROCEDURES:

A. Administrative Procedures:

The sponsor may include in this section a summary and explanation of administrative actions performed at the request or on the behalf of the apprentice. Such actions may include but are not limited to:

- 1. Voluntary Suspension:** A temporary interruption in progress of an individual's apprenticeship agreement at the request of the apprentice and granted by the sponsor. The program sponsor shall review apprentices in suspended status at least once each year to determine if the suspension is still appropriate.
- 2. Advanced Standing or Credit:** The sponsor may provide for advanced standing or credit for demonstrated competency, acquired experience, training or education in or related

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to the occupation. All sponsors need to ensure a fair and equitable process is applied to all apprentices seeking advanced standing or credit per WAC 296-05-015(11).

3. **Sponsor Procedures:**

The apprentice shall read Section X in its entirety and be thoroughly familiarized with its content. The apprentice shall keep a copy for ready reference at all times. The apprentice is cautioned that the penalties are enforced and failure to read the regulation will be no excuse.

a. **Administrative Procedures:**

The progress and growth of the building, heavy, highway and engineering construction have created a need for a variety of large and costly equipment. To operate this equipment likewise requires a variety of skills. The source of this skill is the operating engineer.

To efficiently operate and maintain this large and costly equipment, the operator must have a thorough knowledge of the capabilities of the equipment. Much of the work performed by these machines is done to close tolerances calling for the utmost skill in their operations. With the constant introduction of new equipment and materials into the industry, the operator has to keep abreast with the changing skills and methods of operation. The operator must also be able to make minor adjustments and repairs to his/her machine and understand its servicing procedure. The above equipment must have preventative maintenance as well as scheduled maintenance. The Committee has adopted the apprenticeship system as a means of providing a continuing supply of highly skilled operating engineers for all branches of this industry.

b. **Hiring of Apprentices:**

Employers desiring an apprentice shall make request for said apprentice to the Apprenticeship Committee or their designated authority.

c. **Any apprentice may be rotated from employer to employer or job site to job site by the Apprenticeship Committee or designated authority.**

d. **Processing of applications:**

- 1) All applications are obtained, processed and filed at the office of the Apprenticeship Committee.**
- 2) A log shall be kept in the apprenticeship office, indicating the number of each application, logged to the left hand column of each applicant's**

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name. The date application is returned and accepted is displayed on the right side of the applicant's name in the log.

- 3) Interested persons are encouraged to obtain applications in person.
- 4) The following information shall be recorded with each application.
 - (1) Date application is obtained
 - (2) Date proof of age and education is displayed
 - (3) Results of interview
- 5) Application is void after two (2) years, and those interested must reapply.

e. **Periodic Evaluation and Record Books:**

Each apprentice, upon registration, shall be furnished with a "Record Book"; the apprentice must faithfully keep this record, which shall be verified at the end of each month by the foreman or the journey-level worker supervising the apprentice. An evaluation of the apprentice shall be made each 1000 hours by the Apprenticeship Committee to determine his/her eligibility to receive the scheduled increase in his/her rate of pay. In these examinations consideration shall be made of school attendance, progress and daily employment record of the apprentice.

This record must be submitted to the apprenticeship office no later than the 10th of the following month, regardless if apprentice is working or not. The Apprenticeship Committee shall have the authority to withhold advancement, suspend or cancel his/her Agreement for failure to comply. The apprentice and the employer agree to abide by any such determination of the Committee.

f. **Apprentices will be required to take drug tests**

All registered apprentices will sign a waiver agreeing to provide the results of all employer administered substance abuse tests. Results shall be furnished to the training program.

g. **Travel Policies for Apprentices: Location of RSI Training – The Apprenticeship Program will make every effort to offer its training programs around the entire State to better accommodate the needs of its apprentices. Due to the heavy hands-on lab requirements some training will be held at the Spokane facilities. If an apprentice is required to travel more than fifty miles for training or disciplinary procedures, they will be accommodated as follows:**

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- **Lodging – will be arranged and paid for by the program at a local hotel. Apprentices may be required to share rooms, maximum of 2 apprentices per room. Occupants must be of same gender.**
- **Food- breakfast and lunch will be provided for ALL apprentices attending training. Those apprentices that are required to travel will be given a stipend of \$20.00 a day for dinner.**
- **Mileage – mileage will be reimbursed at the current Federal allowed rate.**

h. All apprentices must be released from “on-the-job” commitments to attend scheduled related instruction.

B. Disciplinary Procedures

1. The obligations of the sponsor when taking disciplinary action are as follows:
 - a. The sponsor shall be responsible for enacting reasonable policies and procedures and applying them consistently. The sponsor will inform all apprentices of their rights and responsibilities per these standards.
 - b. The sponsor shall notify the apprentice of intent to take disciplinary action and reasons therefore 20 calendar days prior to taking such action. The reason(s) supporting the sponsor’s proposed action(s) must be sent in writing to the apprentice.
 - c. The sponsor must clearly identify the potential outcomes of disciplinary action, which may include but are not limited to discipline, suspension or cancellation of the apprenticeship agreement.
 - d. The decision/action of the sponsor will become effective immediately.
2. The sponsor may include in this section requirements and expectations of the apprentices and an explanation of disciplinary actions imposed for noncompliance. The sponsor has the following disciplinary procedures to adopt:
 - a. **Disciplinary Probation:** A time assessed when the apprentice's progress is not satisfactory. During this time the sponsor may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take further disciplinary action. A disciplinary probation may only be assessed after the initial probation is complete.
 - b. **Disciplinary Suspension:** A temporary interruption in the progress of an individual's apprenticeship agreement. Conditions will include not being allowed to participate in On-the-Job Training (OJT), go to Related Supplemental Instruction (RSI) classes or take part in any activity related to the Apprenticeship

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Program until such time as the sponsor takes further action. The program sponsor shall review apprentices in such status at least once each year.

- c. Cancellation: Refers to the termination of an apprenticeship agreement at the request of the apprentice, supervisor, or sponsor. [WAC 296-05-003].
- 3. Sponsor Disciplinary Procedures:
 - a. **The basic work day and work week for apprentices shall be the same as that of a journey-level worker and the apprentices shall be subject to the same conditions including, but not limited to, accepted work rules pertaining to all safety codes, refusing employment as offered, dependability and reliability, extensive tardiness or absenteeism. Upon proper and legal review by the Apprenticeship Committee, the apprentice may be canceled from the Apprenticeship Program for failure to abide by these work rules. At no time will an apprentice be permitted to work without being under the supervision of a journey-level worker of their trade, nor shall he/she act as a foreman.**
 - b. **Substance Abuse Testing: The Apprenticeship Committee shall have the authority to adopt a drug and alcohol testing program in order to ensure that each apprentice can work safely in a drug and alcohol free environment. Each apprentice agrees to be subject to such testing as a condition for maintaining his or her apprenticeship agreement.**
 - c. **Apprentices shall be informed of their work and related training obligations as stated in these Standards.**
 - d. **Disciplinary problems may first be handled by the Director of Apprenticeship. If the Director deems appropriate, the matter may be referred to the Committee for action. The Committee and/or its designate shall notify the apprentice of any violations of these Standards and the apprentice shall be subject to the disciplinary action procedure as outlined below.**
 - e. **Failure to show regular attendance at related classes may be deemed sufficient cause for the Apprenticeship Committee to initiate disciplinary action procedures as outlined below. Regular attendance is defined as not missing more than two classes per quarter. Apprentices who miss more than two (2) classes per quarter may be summoned before the committee for disciplinary action up to and including cancellation for his or her apprenticeship agreement.**

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- f. More than two unexcused absences from class during each quarter may be deemed cause for suspension from work and school until meeting with the Apprenticeship Committee. The apprentice will be sent a 20-day notification letter notifying them of the requirement to the next regularly scheduled Apprenticeship Committee meeting, the 2nd Saturday of each month, and why. Failure to attend the Apprenticeship Committee meeting could result in immediate termination of the apprenticeship agreement. The apprentice will also be required to sign a document that they understand the consequences of another unexcused absence.**
- g. Four (4) unexcused absences from class during the quarter may be deemed cause by the committee for the apprentice being dropped from the program.**
- h. Two (2) tardies to class is equal to one (1) absence.**
- i. Excused absences may be allowed for:**
 - 1. *Illness of apprentice***
 - 2. *Trips and/or vacations. (By prior approval of the Apprenticeship Committee)***
 - 3. *Death in immediate family***
 - 4. *Any other reasons deemed appropriate by the Committee***
- j. Apprentices who have missed related instruction, as outlined in these Standards may not be eligible for advancement until such time as the requirement is satisfied.**
- k. A contractor may discharge an apprentice for substandard performance, improper conduct, indifference to the contractor's or Committee's rules and regulations, or insubordination.**
- l. If an apprentice is fired for cause or quits (after their initial probationary period), he/she will not be re-dispatched until he/she appears before the Apprenticeship Committee at their next meeting and is subsequently released by the Committee as eligible for work.**
- m. It shall be the apprentice's responsibility to maintain a progress record of work experience performed in accordance with the appropriate classification schedule. Such records shall be forwarded by the apprentice to the Apprenticeship Director on the 5th day of each month after they have been signed by the employer or appropriate representative of the employer. The above records shall contain the apprentice's (a) name, (b)**

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classification, (c) employer, (d) months and year of report, as well as hours of work performed. The Director of Apprenticeship shall then forward these records to the Apprenticeship Committee prior to each Committee meeting or upon the request of the Committee.

- n. Work experience reports must be turned into the apprenticeship office made out completely and properly, on time. Failure to comply will result in notification of no pay progression until records are completed. The committee will not accept hours that are more than 90 days past overdue. Hours may be reported by mail, in person or electronically.
- o. Each apprentice who is late in turning in his/her work experience report will have the following penalties imposed:
 - 1. *First Offense: up to 30 days actual work delay in his/her next advancement.*
 - 2. *Second Offense: Up to 60 days actual work delay in his/her work advancement.*
 - 3. *Third Offense: Cause for cancellation of the Apprenticeship Agreement*
- p. Future advancements will be calculated from the new date.
- q. All other disciplinary action procedures are as follows:
 - 1. *1st infraction: A written warning.*
 - 2. *2nd infraction: Appearance before the Apprenticeship Committee by the apprentice to justify why advancement should not be denied, his/her apprenticeship agreement should not be cancelled or whatever other action is being contemplated by the Apprenticeship Committee.*
 - 3. *3rd infraction: Cause for cancellation of the Apprenticeship Agreement.*
- r. If the apprentice fails to appear before the committee after due notice, disciplinary action may be invoked without hearing.
- s. Should the Apprenticeship Committee find reason to suspend or cancel an apprenticeship agreement, the apprentice shall be notified in writing, specifying the reason for the suspension, cancellation or any disciplinary action. The apprentice shall be notified 20 days in advance of the meeting of the Committee for the purpose of the disciplinary action, suspension, or cancellation.

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- t. Individuals who are terminated from the program for cause are prohibited from reapplying to the program for a period of 12 months from the date of their cancellation.**
- u. Travel Policies for Apprentices for Disciplinary Procedures – The Apprenticeship Program will make every effort to conduct disciplinary hearings around the entire State to better accommodate the needs of its apprentices. If an apprentice is required to travel more than fifty miles for disciplinary procedures, they will be accommodated as follows:**
 - Lodging – If an overnight stay is required lodging will be arranged and paid for by the program at a local hotel. Apprentices may be required to share rooms, maximum of 2 apprentices per room. Occupants must be of the same gender.**
 - Food – If necessary, breakfast and lunch will be provided for the apprentices who have to travel more than 50 miles to attend a disciplinary hearing. Those apprentices that are required to travel will be given a stipend of \$20.00 a day for dinner.**
 - Mileage – mileage will be reimbursed at the current Federal allowed rate.**
- v. Failure of a substance test will result in disciplinary action and/or termination from the apprenticeship program. The standard for a negative test is based off of a cut-off level system designed and regulated by the Department of Health and Human Services (DHHS). Refusal or inability to take a drug test shall be considered a failure.**

Disciplinary Action

First offense: 30 days of non-eligibility for out-of-work list registration. In addition, apprentice will not be eligible for dispatch until he/she appears before the Apprenticeship Committee, at one of their regular scheduled meetings, and provides confirmation of a “clean” substance abuse test that the apprentice has paid for. Test must be conducted by the Apprenticeship Committee approved laboratory.

Second offense: Termination from the Apprenticeship Program.

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D. Apprentice Complaint Procedures:

1. The apprentice must complete his/her initial probationary period in order to be eligible to file a complaint (WAC 296-05-105).
2. Complaints involving matters covered by a collective bargaining agreement are not subject to the complaint procedures in this section.
3. Complaints regarding non-disciplinary matters must be filed with the program sponsor within 30 calendar days from the date of the last occurrence. Complaints must be in writing.
4. If the apprentice disagrees with the resolution of the complaint or wishes to contest the outcome of a disciplinary action by the program sponsor, the apprentice must file a written request for reconsideration with the program sponsor within 30 calendar days from the date the apprentice received written notice of action by the program sponsor.
5. The program sponsor must reply, in writing, to the request for reconsideration within 30 calendar days from the date the program sponsor receives the request. The program sponsor must send a copy of the written reply to the apprentice within the 30 calendar days.
6. If the apprentice disagrees with the program sponsor's decision, the apprentice may file an appeal with the Apprenticeship Program, (WAC 296-05-105). If the apprentice does not timely file an appeal, the decision of the program sponsor is final after 30 calendar days from the date the program sponsor mails the decision to the apprentice. See section "D" below.

D. Apprentice Complaint Review/Appeals Procedures:

1. If the apprentice disagrees with the program sponsor's decision, the apprentice must submit a written appeal to L&I's apprenticeship section within 30 calendar days from the date the decision is mailed by the program sponsor. Appeals must describe the subject matter in detail and include a copy of the program sponsor's decision.
2. The L&I apprenticeship section will complete its investigation within 30 business days from the date the appeal is received and attempt to resolve the matter.
3. If the Apprenticeship section is unable to resolve the matter within 30 business days, the Apprenticeship section issues a written decision resolving the appeal.
4. If the apprentice or sponsor is dissatisfied with L&I's decision, either party may request the WSATC review the decision. Requests for review to the WSATC must be in writing. Requests for review must be filed within 30 calendar days from the date the decision is mailed to the parties.

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5. The WSATC will conduct an informal hearing to consider the request for review.
6. The WSATC will issue a written decision resolving the request for review. All parties will receive a copy of the WSATC's written decision.

XI. SPONSOR – RESPONSIBILITIES AND GOVERNING STRUCTURE

The following is an overview of the requirements associated with administering an apprenticeship program. These provisions are to be used with the corresponding RCW and/or WAC. The sponsor is the policymaking and administrative body responsible for the operation and success of this apprenticeship program. The sponsor may assign an administrator or a committee to be responsible for day-to-day operations of the apprenticeship program. Administrators and/or committee members must be knowledgeable in the process of apprenticeship and/or the application of chapter 49.04 RCW and chapter 296-05 WAC and these standards. If applicable, sponsors must develop procedures for:

A. Committee Operations (WAC 296-05-009): (Not applicable for Plant Programs)

Apprenticeship committees must be composed of an equal number of management and non-management representatives from a minimum of four to a maximum of twelve members. Committees must convene meetings at least three times per year attended by a quorum of committee members as defined in these approved standards.

B. Program Operations:

The sponsor will record and maintain records pertaining to the administration of the apprenticeship program and make them available to the WSATC or Department upon request. Records required by WAC 296-05-100 will be maintained for five (5) years; all other records will be maintained for three (3) years. Apprenticeship sponsors will submit required forms/reports to the Department of Labor and Industries through one of the two prescribed methods below:

Sponsors shall submit required forms/reports through assigned state apprenticeship consultant. Forms may be obtained through the programs assigned apprenticeship consultant.

Sponsors shall submit required reports through the Apprentice Registration and Tracking System (ARTS).

1. The following is a listing of forms/reports for the administration of apprenticeship programs and the time-frames in which they must be submitted:
 - a. Apprenticeship Agreements – within first 30 days of employment
 - b. Authorization of Signature forms - as necessary
 - c. Approved Training Agent Agreements– within 30 days of sponsor action

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- d. Minutes of Apprenticeship Committee Meetings – within 30 days of sponsor approval (not required for Plant program)
 - e. Request for Change of Status - Apprenticeship/Training Agreement and Training Agents forms – within 30 days of action by sponsor.
 - f. Journey Level Wage Rate – annually, or whenever changed as an addendum to section VII. Apprentice Wages and Wage Progression.
 - g. Related Supplemental Instruction (RSI) Hours Reports (Quarterly):
 - 1st quarter: January through March, due by April 10
 - 2nd quarter: April through June, due by July 10
 - 3rd quarter: July through September, due by October 10
 - 4th quarter: October through December, due by January 10
 - h. On-the-Job Work Hours Reports (bi-annual)
 - 1st half: January through June, by July 30
 - 2nd half: July through December, by January 31
2. The program sponsor will adopt, as necessary, local program rules or policies to administer the apprenticeship program in compliance with these standards. Requests for revision to these standards of apprenticeship must be submitted 60 calendar days prior to a quarterly WSATC meeting. The Department of Labor and Industries, Apprenticeship Section's manager may administratively approve requests for revisions in the following areas of the standards:
- a. Program name
 - b. Sponsor's introductory statement
 - c. Section III: Conduct of Program Under Washington Equal Employment Opportunity Plan
 - d. Section VII: Apprentice Wages and Wage Progression
 - e. Section IX: Related/Supplemental Instruction
 - f. Section XI: Sponsor – Responsibilities and Governing Structure
 - g. Section XII: Subcommittees
 - h. Section XIII: Training Director/Coordinator
3. The sponsor will utilize competent instructors as defined in WAC 296-05-003 for RSI. Furthermore, the sponsor will ensure each instructor has training in teaching techniques and adult learning styles, which may occur before or within one year after the apprenticeship instructor has started to provide instruction.

C. Management of Apprentices:

- 1. Each apprentice (and, if under 18 years of age, the parent or guardian) will sign an apprenticeship agreement with the sponsor, who will then register the agreement with the Department before the apprentice attends RSI classes, or within the first 30 days of employment as an apprentice. For the purposes of industrial insurance coverage and prevailing wage exemption under RCW 39.12.021, the effective date of registration will be the date the agreement is received by the Department.

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2. The sponsor must notify the Department within 30 days of all requests for disposition or modification to apprentice agreements, which may include:
 - a) Certificate of completion
 - b) Additional credit
 - c) Suspension (i.e. military service or other)
 - d) Reinstatement
 - e) Cancellation
 - f) Corrections
 - g) Step Upgrades
 - h) Probation Completion date
 - i) Other (i.e., name changes, address)
 - j) Training Agent Cancellation
3. The sponsor commits to rotate apprentices in the various processes of the skilled occupation to ensure the apprentice is trained to be a competent journey-level worker.
4. The sponsor shall periodically review and evaluate apprentices before advancement to the apprentice's next wage progression period. The evidence of such advancement will be the record of the apprentice's progress on the job and during related/supplemental instruction.
5. The sponsor has the obligation and responsibility to provide, insofar as possible, reasonably continuous employment for all apprentices in the program. The sponsor may arrange to transfer an apprentice from one training agent to another or to another program when the sponsor is unable to provide reasonably continuous employment, or they are unable to provide apprentices the diversity of experience necessary for training and experience in the various work processes as stated in these standards. The new training agent will assume all the terms and conditions of these standards. If, for any reason, a layoff of an apprentice occurs, the apprenticeship agreement will remain in effect unless canceled by the sponsor.
6. An apprentice who is unable to perform the on-the-job portion of apprenticeship training may, if the apprentice so requests and the sponsor approves, participate in related/supplemental instruction, subject to the apprentice obtaining and providing to the sponsor written requested document/s for such participation. However, time spent will not be applied toward the on-the-job portion of apprenticeship training.
7. The sponsor shall hear and decide all complaints of violations of apprenticeship agreements.
8. Upon successful completion of apprenticeship, as provided in these standards, and passing the examination that the sponsor may require, the sponsor will recommend the WSATC award a Certificate of Completion of Apprenticeship. The sponsor will make an official presentation to the apprentice who has successfully completed his/her term of apprenticeship.

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D. Training Agent Management:

1. The sponsor shall offer training opportunities for apprentices by ensuring reasonable and equal working and training conditions are applied uniformly to all apprentices. The sponsor shall provide training at an equivalent cost to that paid by other employers and apprentices participating in the program. The sponsor shall not require an employer to sign a collective bargaining agreement as a condition of participation.
2. The sponsor must determine whether an employer can adequately furnish proper on the job training to an apprentice in accordance with these standards. The sponsor must also require any employer requesting approved training status to complete an approved training agent agreement and to comply with all federal and state apprenticeship laws, and these standards.
3. The sponsor will submit training agent agreements to the Department with a copy of the agreement and/or the list of approved training agents within thirty calendar days from the effective date. Additionally, the sponsor must submit rescinded training agent agreements to the Department within thirty calendar days of said action.

E. Committee governance (if applicable): (see WAC 296-05-009)

1. Apprenticeship committees shall elect a chairperson and a secretary who shall be from opposite interest groups, i.e., chairperson-employers; secretary-employees, or vice versa. If the committee does not indicate its definition of quorum, the interpretation will be "50% plus 1" of the approved committee members. The sponsor must also provide the following information:

Selection of Employee Representatives, (Apprentice Advocates), to the Committee is as follows:

When there is an Employee representative opening on the Committee, the Training Agents must present to their Journey-Level Worker Heavy Equipment Operators the request for a volunteer or nominations from among the Journey-Level Heavy Equipment Operators to the Committee. If there are more nominations than the openings on the committee, then an election to select the final nominee(s) must be completed.

Note: The volunteer or nominee must meet the definition of a Journey-Level person in the Heavy Equipment Operators field of work. The apprenticeship must document the selection and election process. Nominations submitted without qualification documentation will not be considered for the final selection.

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Once the volunteer or nominee has been selected, that name must be submitted to the AGC's Construction Center's Coordinator located at 4935 East Trent, Spokane, Washington, 99212.

- a. Quorum: **50% of the current committee members**
- b. Program type administered by the committee: **GROUP NON-JOINT**
- c. The employer representatives shall be:

**Dan Zimmerman, Secretary
P.O. Box 11901
Spokane Valley, WA 99211**

**Dan Arnold
P.O. Box 11901
Spokane Valley, WA 99211**

- d. The employee representatives shall be:

**Robert Allenbaugh, Chair
P.O. Box 11901
Spokane Valley, WA 99211**

**Dave Lemley
P.O. Box 11901
Spokane Valley, WA 99211**

F. Plant programs

For plant programs the WSATC or the Department designee will act as the apprentice representative. Plant programs shall designate an administrator(s) knowledgeable in the process of apprenticeship and/or the application of chapter 49.04 RCW and chapter 296-05 WAC and these standards.

The designated administrator(s) for this program is/are as follows:

N/A

XII. SUBCOMMITTEE:

Subcommittee(s) approved by the Department, represented equally from management and non-management, may also be established under these standards, and are subject to the main committee. All actions of the subcommittee(s) must be reviewed by the main committee. Subcommittees authorized to upgrade apprentices and/or conduct disciplinary actions must be structured according to the same requirements for main committees.

NONE

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XIII. TRAINING DIRECTOR/COORDINATOR:

The sponsor may employ a person(s) as a full or part-time training coordinator(s)/ training director(s). This person(s) will assume responsibilities and authority for the operation of the program as are delegated by the sponsor.

Mike Ankney
Training Director
PO Box 11901
Spokane Valley, WA 99211

Jessica Moody
Assistant Director
PO Box 11901
Spokane Valley, WA 99211