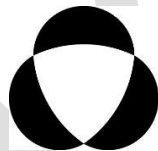


Apprenticeship Reciprocal Agreement

Between

Montana, Oregon, and Washington

Effective: As of the latest signature affixed herein



Washington State Department of
Labor & Industries

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

This Agreement is made by and entered into between the following parties:

- State of Montana** by and through: Montana Registered Apprenticeship Program
and the Montana Department of Labor and
Industry
- State of Oregon** by and through: Oregon State Apprenticeship and Training
Council and Oregon Bureau of Labor and
Industries
- State of Washington** by and through: Washington State Apprenticeship and
Training Council and Washington
Department of Labor and Industries

PURPOSE

1. To allow for ease of movement for registered apprentices among contiguous counties in Oregon, Montana, and Washington (individually “Signatory State” collectively, “Signatory States”).
2. To eliminate the need for dual registration of Program Standards or Apprentices in Signatory States when apprentices train in certain contiguous counties of Oregon, Montana, and Washington.

DEFINITIONS

“Contiguous State County” collectively, Contiguous State Counties” means, except for the Montana counties and certain Oregon counties referenced below, any county sharing a common Signatory State border with the Geographic Area identified in the program’s standards. The following are considered Contiguous State Counties for purposes of this Agreement:

1. **Oregon - Washington:** For Oregon-registered programs whose Geographic Area includes Clackamas, Clatsop, Columbia, Multnomah, Hood River, Wasco, Sherman, Gilliam, Morrow, Umatilla, Wallowa, or Washington County,

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

- the Contiguous State Counties in the state of Washington where the “Tri-State Reciprocity” exception applies are Pacific, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Benton, Walla Walla, Columbia, Garfield, and Asotin.
2. **Washington - Oregon:** For Washington-registered programs whose Geographic Area includes Pacific, Wahkiakum, Cowlitz, Clark, Skamania, Klickitat, Benton, Walla Walla, Columbia, Garfield, or Asotin County, the Contiguous State Counties in Oregon where the “Tri-State Reciprocity” exception applies are Clatsop, Clackamas, Columbia, Multnomah, Hood River, Wasco, Sherman, Gilliam, Morrow, Umatilla, Wallowa and Washington.
 3. **Montana - Washington:** For Montana-registered programs whose Geographic Area includes Beaverhead, Gallatin, Lincoln, Mineral, Missoula, Ravalli, or Sanders County, the Contiguous State Counties in the state of Washington where the “Tri-State Reciprocity” exception applies are Asotin, Pend Oreille, Spokane, and Whitman.
 4. **Washington – Montana:** For Washington-registered programs whose Geographic Area includes Asotin, Pend Oreille, Spokane, or Whitman County, the Contiguous State Counties in Montana where the “Tri-State Reciprocity” exception applies are Beaverhead, Gallatin, Lincoln, Mineral, Missoula, Ravalli, and Sanders.
 5. **Oregon – Montana:** For Oregon-registered programs whose Geographic Area includes Umatilla, Union, Wallowa, or Baker County, the Contiguous State Counties in Montana where the “Tri-State Reciprocity” exception applies are Beaverhead, Gallatin, Lincoln, Mineral, Missoula, Ravalli, and Sanders.
 6. **Montana – Oregon:** For Montana-registered programs whose Geographic Area includes Beaverhead, Gallatin, Lincoln, Mineral, Missoula, Ravalli, or Sanders County, the Contiguous State Counties in Oregon where the “Tri-State Reciprocity” exception applies are Umatilla, Union, Wallowa, and Baker.

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

“Program Utilizing Tri-State Reciprocity” means a registered apprenticeship program and/or training agent employer providing on-the-job training (“OJT”) to apprentices in a Contiguous State County under the terms of this Agreement.

“Registration Agency” means the state agency responsible for registering and/or regulating apprenticeship programs and/or training agent employers of apprenticeship programs, and apprentices.

“Registration State” means the state that registered and regulates the apprenticeship program and/or employer training agent for the registered apprenticeship program seeking Tri-State Reciprocity under this Agreement.

“Tri-State Reciprocity” means a registered apprenticeship program or training agent may provide OJT to apprentices in a Contiguous State County under the terms of this Agreement so that the apprentices will be recognized as apprentices by the Signatory State where the Program Utilizing Reciprocity provides OJT.

WHEREAS the parties to this Agreement wish to provide for the freedom of movement of the registered apprenticeship workforce between the contiguous counties of the states of Montana, Oregon, and Washington identified above; and, Have agreed that apprentices registered in the states of Montana, Oregon, or Washington shall be recognized as registered apprentices in each of the Signatory States pursuant to terms of this Agreement.

Parties to this Agreement have the authority to enter into this Agreement and bind the respective parties under the terms of this Agreement;

NOW, THEREFORE, it is agreed by and between the parties signatory to this Agreement hereto as follows:

- I. The parties support the development and registration of apprenticeship programs, assisting current program sponsors and safeguarding the welfare of apprentices.

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

- II. This Agreement will not be used by programs or training agents to circumvent the laws and rules of a Signatory State and shall apply to actively registered apprenticeship programs and apprentices.
- III. **Registered apprentice and Program eligibility:** The parties concur that multiple registrations of individual apprentices or programs by Signatory States is an impediment to the successful administration of an apprenticeship program. Therefore, it is understood that when an apprentice or program registration occurs in Montana, Oregon, or Washington, duplicative registration in any of the Signatory States may not be necessary for Tri-State Reciprocity. Active apprentices in registered programs with a Signatory State are eligible to work as registered apprentices in another Signatory State pursuant to the Standards of Apprenticeship and conditions set forth herein.
- IV. **Tri-State Reciprocity Exception:** Apprenticeship programs shall comply with any and all Signatory State rules and regulations for obtaining approval for apprentices to perform OJT in another Signatory State, commonly known as reciprocal recognition, except in cases where the program or training agent provide OJT to apprentices in a Contiguous State County as a Program Utilizing Tri-State Reciprocity as defined above. Programs Utilizing Tri-State Reciprocity are excepted from Signature State reciprocal recognition requirements, unless otherwise requested by the Registration Agency in the state of which the OJT is to be performed. Any Program Utilizing Tri-State Reciprocity found to be in violation of this Agreement can have their Tri-State Reciprocity denied by either the Signatory state to which they are registered to or the Signatory state in which the violation occurred at the discretion of either state's Registration Agency.
- V. Provisionally registered programs shall not utilize Tri-State Reciprocity under this Agreement without prior approval from the Signatory State Registration Agency where the apprentice will receive OJT. Verification of permanent registration status of any Program Utilizing Tri-State Reciprocity under this Agreement may

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

be considered as a condition of approval of Tri-State Reciprocity by the Signatory State in which apprentice OJT will be performed. Requested information shall be used for regulatory verification purposes.

- VI. **Licensing and certification:** Any Program Utilizing Tri-State Reciprocity and apprentices must comply with all applicable licensing and certification requirements in the Signatory State where the OJT is being performed and obtain any necessary licenses and certificates prior to commencement of work. Program Sponsors must ensure the apprentice has all appropriate credential(s) in their possession prior to working in a licensed or certified occupation.

When the standards to which an apprentice is registered do not meet the licensing or certification requirements in the Signatory State where the OJT is to be performed, dual registration of standards, the employer and/or the apprentice may be necessary.

- VII. **Apprentice ratio and wage:** Programs Utilizing Tri-State Reciprocity will utilize the ratio of apprentices to journey level workers, journey level wage, and apprentice wage schedule set forth in standards approved for the same trade in the geographical area where the work is being performed unless a higher ratio, wage, or percentage is mandated. This information can be obtained from the Registration Agency in the Signatory State where the work is to be performed.

In cases where multiple standards exist in the same geographical area for the same trade, the Registration Agency in the state where the work is to be performed will determine the ratio and wage requirements to be utilized.

- VIII. **Prevailing wage:** All registered apprentices are entitled to be paid the apprenticeship rate established under federal or state public works acts that apply where the OJT is being performed. It is understood nothing in this agreement shall preclude individual Signatory States or parties from promulgating or adopting rules and regulations governing the operation of their own state's Public Works Act.

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

- IX. **Program compliance:** Programs Utilizing Tri-State Reciprocity must maintain good standing with their Registration State and/or Registration Agency, and must operate in compliance with all standards, rules and regulations governing the operation of the program and the work performed. Program and training agent employer compliance status will be verified by the Signatory State parties to this Agreement.
- X. **Registration of New Apprenticeship Program Standards:** Signatory States may consider the following when registering new programs:
1. The apprenticeship program sponsor has a pending application for approval in a Signatory State;
 2. An apprenticeship program has been denied registration approval for cause; or
 3. An apprenticeship program sponsor has a pending appeal or is under judicial review.
- XI. **Complaints and investigations:** Complaints regarding alleged violations of this Agreement should be submitted in writing to the Registration Agency for the Registration State, with a copy to the Registration Agency in the Signatory State where the OJT was performed. The agencies will jointly determine how the investigation will be conducted and confer with the other Signatory State Registration Agencies prior to taking remedial action.
- XII. **Revocation of reciprocity:** Any Program Utilizing Tri-State Reciprocity, or other apprenticeship program and/or training agent employer found to be operating in a manner inconsistent with this Agreement or the apprenticeship standards may have the terms and conditions of reciprocity suspended or revoked by any of the parties to this Agreement. In the event of revocation of reciprocity or deregistration of a program's registration, the controlling state shall notify all parties signatory to this Agreement.
- XIII. **Duration of Agreement:** This Agreement shall remain in full force and effect for an indefinite period unless terminated by one or more of the signatory parties. If

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

any part of this Agreement or its application to any person or circumstance is held invalid the remainder of the Agreement and its application to other persons and circumstances shall not be affected thereby.

- XIV. **Termination:** When any signatory party elects to withdraw from this Agreement, they shall forward written notice to the other parties with an explanation of the action thirty (30) days before such action will take effect. Termination by any one party of this Agreement will not affect the remainder of participating parties.
- XV. **Amendments:** This Agreement may be amended by the written mutual consent of all signatory parties.
- XVI. **Meetings:** Representatives of the parties to this Agreement shall meet annually or as needed to review the overall success of this Agreement and to recommend changes that will enhance its operation and performance.

**APPRENTICESHIP RECIPROCAL AGREEMENT
BETWEEN MONTANA, OREGON, AND WASHINGTON**

Signatures and Dates:

State of Montana by and through:

Signature: _____ Date: _____
Chief Legal Counsel, Montana Department of Labor & Industry.

Signature: _____ Date: _____
Glen Disque, State Director, Montana Department of Labor & Industry.

State of Oregon by and through:

Signature: _____ Date: _____
Christina Stephenson, Chair, Oregon State Apprenticeship & Training Council and
Commissioner of the Oregon Bureau of Labor and Industries.

Signature: _____ Date: _____
Jody Robbins, Director, Apprenticeship & Training Division Oregon Bureau of Labor
and Industries Secretary, Oregon State Apprenticeship and Training Council.

State of Washington by and through:

Signature: _____ Date: _____
Mark Riker, Chair, Washington State Apprenticeship and Training Council.

Signature: _____ Date: _____
Joel Sacks, Director, Washington State Department of Labor and Industries.