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August 31, 2020
CORRECTION

Supervisor of Apprenticeship and Training
Department of Labor & Industries
Apprenticeship Section
Post Office Box 44530
Olympia, Washington 98504-4530

Re: Request for Approval and Registration of Federally-Registered Program

Dear Supervisor of Apprenticeship and Training:

I write on behalf of Axiom Construction & Consulting (“Axiom”). The U.S. Department of Labor (the “USDOL”), Office of Apprenticeship (“OA”), has offered to approve and register federal Registered Apprenticeship Standards, for Local Apprenticeship Standards, for the apprenticeable occupation of Architectural Sheet Metal Worker (the “Federal Program”).¹ I have attached to my prior letter copies of the Federal Program documentation that Axiom submitted for approval by the OA as Exhibit 1.² This letter is a correction to clarify Axiom’s request for the Washington State Apprenticeship and Training Council (the “Council”) to approve and register Axiom’s Federal Program.³

The basis for this request is two-fold. The Council should approve and register Axiom’s Federal Program based on (1) the stated policy and directive of the OA; or, alternatively, (2) the requirement to accord reciprocal approval per 29 CFR § 29.13(b)(7) and WAC 296-05-011(3). While not intended to be exhaustive, each alternative ground for approval and registration by the Council is briefly outlined below.⁴

¹ This letter corrects my previous letter, dated August 31, 2020, which, due to a scrivener’s error, inadvertently referenced the incorrect occupation. The balance of the letter remain the same. Exhibits referenced herein are attached to my prior letter.

² Axiom anticipates the OA will approve and register the program in the near term and will accordingly supplement this request.

³ Per WAC 296-05-008(3)(c), WRS requests that the Council take action on this request at the next regular quarterly meeting, on October 15, 2020.

⁴ The analysis is included to identify and clarify the ground on which WRS is requesting that the Council approve and register WRS’s Federal Program. It is not an exhaustive analysis of all authorities supporting WRS’s request for approval and should not be so construed. WRS reserves all rights, including the right to establish its positions more fully in subsequent proceedings.

Supervisor of Apprenticeship and Training

Re: Request for Approval and Registration of Federally-Registered Program

September 1, 2020

Page 2 of 3

The policy and directive of the USDOL warrant approval by the Council.

Chapter 49.04 RCW is the Washington Apprenticeship State. RCW 49.80.010(5) and (7)(a). Its implementing regulations (Chapter 296-05 WAC) contain myriad rules governing standards of apprenticeship as it relates to approval eligibility. *See, e.g.*, WAC 296-05-015. Moreover, as a State Apprenticeship Agency (“SAA”), the Washington Department of Labor & Industries (the “Department”) “is constrained in its approval to apply the requirements and standards of the federal regulations.” *Electrical Joint Apprenticeship Committee v. MacDonald*, 949 F.2d 270, 273 (9th Cir. 1991), *cert. denied*, 505 U.S. 1204 (1992). The Apprenticeship Statute (Chapter 49.04 RCW) requires the Department to “promote apprenticeship programs ... in harmony with the policies of the [USDOL].” RCW 49.04.030(1). The USDOL policies are carried out through 29 CFR part 29 subpart A, and part 30. These federal regulations require the Department (Council) to register new apprenticeship programs in conformity with the federal regulations at 29 CFR part 29 subpart A, and part 30. *See generally* 29 CFR §§ 29.3(b), 29.13 and 29.14. In sum, the Department is obligated to approve and register programs in conformity with the federal regulations. *Id.*; *see also MacDonald*, 949 F.2d at 273.

The OA’s approval of programs for Axiom in the Architectural Sheet Metal Worker occupation demonstrates that these programs conform with the applicable regulatory standards. 29 CFR § 29.3(a) (“Eligibility for registration of an apprenticeship program for various Federal purposes is conditioned upon a program’s conformity with the apprenticeship program standards published in this part.”). Moreover, the OA has already stated it is the USDOL’s policy and directive that the Department (Council) should approve and register Axiom’s federally-approved programs. Exhs. 3-3. For both reasons, Axiom respectfully requests that the Council approve and register Axiom’s Federal Program.

Applicable reciprocity requirements warrant approval by the Council.

Axiom alternatively requests that the Council approve and register Axiom’s Federal Program per applicable reciprocity regulations. The federal apprenticeship regulations require SAAs such as the Department (Council) to “[a]ccord reciprocal approval” to “programs and standards that are registered in other States.” 29 CFR § 29.13(b)(7). Washington’s regulations similarly permit the Council to reciprocally “recognize out-of-state apprenticeship programs.” WAC 296-05-011(d)(3). Axiom accordingly requests, in the alternative, that the Council register and approve the Federal Program per the requirements to accord reciprocal approval per 29 CFR § 29.13(b)(7) and WAC 296-05-011(3).

Thank you for your acceptance of Axiom’s request for the Council to approve and register Axiom’s Federal Program. Please do not hesitate to contact me regarding any matter related to this request.

Sincerely,



Joshua D. Brittingham

Encs.

Exh. 1: Registered Apprenticeship Standards

Exh. 2: Letter from USDOL to Joel Sacks dated July 2, 2020

Exh. 3: Letter from USDOL to Joshua D. Brittingham dated August 18, 2020

Cc: See attached *Certificate of Filing and Service*

CERTIFICATE OF FILING AND SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on September 1, 2020, I caused the documents listed below to be filed/served on the following recipients in the manner set forth below:

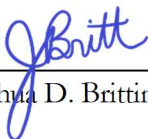
Documents:

1. *Corrected Letter from Joshua D. Brittingham to Supervisor of Apprenticeship and Training regarding Request for Approval and Registration of Federally-Registered Program, dated August 31, 2020, without attachments.*
2. *This Certificate of Filing and Service.*

Recipients:

Supervisor of Apprenticeship and Training Department of Labor & Industries Apprenticeship Section Post Office Box 44530 Olympia, Washington 98504-4530	<input type="checkbox"/> Via U.S. Postal Service <input type="checkbox"/> Via Hand Delivery / Legal Messenger <input checked="" type="checkbox"/> Via E-mail: Eric.Lawless@atg.wa.gov WilliamF.Henry@atg.wa.gov Jordyn.Jones@atg.wa.gov Mykaila.Ostrom@atg.wa.gov apprentice@lni.wa.gov jody.robbins@lni.wa.gov gate235@lni.wa.gov (Teri Gardner) pega235@lni.wa.gov (Gary Peterson)
Department of Labor and Industries 7273 Linderson Way S.E. Tumwater, Washington 98501	<input type="checkbox"/> Via U.S. Postal Service <input type="checkbox"/> Via Hand Delivery / Legal Messenger <input type="checkbox"/> Via E-mail:

DATED: September 1, 2020, in Seattle, Washington.



Joshua D. Brittingham

EXHIBIT 1



Registered Apprenticeship Standards

- National Program Standards National Guidelines for Apprenticeship Standards
 Local Apprenticeship Standards

Axiom Construction & Consulting, LLC
1841 Front Street, Suite A
Lynden, Washington 98264

Occupation(s): *Architectural Sheet Metal Worker*

O*NET-SOC Code: 47-2211.00 RAPIDS Code: 0510 HY

Developed in Cooperation with the
U.S. Department of Labor
Office of Apprenticeship

Approved by the
U.S. Department of Labor
Office of Apprenticeship

Registered By: _____

Title: *Regional Director – Region 6*

Date: *August 21, 2020*

Registration Number: _____



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SECTION I – STANDARDS OF APPRENTICESHIP 29 CFR § 29.5

A. Responsibilities of the sponsor: *Axiom Construction & Consulting, LLC* must conduct, operate, and administer this program in accordance with all applicable provisions of Title 29 Code of Federal Regulations (CFR) parts 29 and 30, and all relevant guidance issued by the Office of Apprenticeship (OA). The sponsor must fully comply with the requirements and responsibilities listed below and with the requirements outlined in the document “Requirements for Apprenticeship Sponsors.”

Sponsors shall:

- Ensure adequate and safe equipment and facilities for training and supervision and provide safety training for apprentices on-the-job and in related instruction.
- Ensure there are qualified training personnel and adequate supervision on the job.
- Ensure that all apprentices are under written apprenticeship agreements incorporating, directly or by reference, these standards and the document “Requirements for Apprenticeship Sponsors,” and that meets the requirements of Title 29, CFR part 29.7. Form ETA 671 may be used for this purpose and is available upon logging into RAPIDS.
- Register all apprenticeship standards with the U.S. Department of Labor, including local variations, if applicable.
- Submit apprenticeship agreements within 45 days of enrollment of apprentices.
- Arrange for periodic evaluation of apprentices’ progress in skills and technical knowledge, and maintain appropriate progress records.
- Notify the U.S. Department of Labor within 45 days of all suspensions for any reason, reinstatements, extensions, transfers, completions and cancellations with explanation of causes. Notification may be made in RAPIDS or using the contact information in Section K.
- Provide each apprentice with a copy of these standards, Requirements for Apprenticeship Sponsors Reference Guide, and Appendix A, any applicable written rules and policies, and require apprentices to sign an acknowledgment of their receipt. If the sponsor alters these standards or any Appendices to reflect changes it has made to the apprenticeship program, the sponsor will obtain approval of all modifications from the Registration Agency, then provide apprentices a copy of the updated standards and Appendices and obtain another acknowledgment of their receipt from each apprentice.



B. Minimum Qualifications - 29 CFR §29.5(b)(10)

An apprentice must be at least 18 years (Enter an age of at least 16 years) of age, except where a higher age is required by law, and must be employed to learn an apprenticeable occupation. Please include any additional qualification requirements as appropriate (optional):

- There is an educational requirement of *High School graduate/GED*
- There is a physical requirement of *duties of the position with or without reasonable accommodations*
- The following aptitude test(s) will be administered : *Entrance assessment at a Washington State Community College or Technical College and provide test results showing the ability to place or enroll in an Intermediate Math course coded at the 90 level or higher. Applicants who have taken and passed an Algebra course in high school or college with a "B" or 3.0 grade or better, within 12 months prior to applications, may present transcripts in lieu of testing. The cost of test will be paid by the applicant*
- A valid driver's license is required.
- Other

C. Apprenticeship Approach and Term - 29 CFR § 29.5(b)(2)

The apprenticeship program (s) will select an apprenticeship training approach. See Appendix A to select approach.

D. Work Process Schedule and Related Instruction Outline - 29 CFR § 29.5(b)(4)

Every apprentice is required to participate in related instruction in technical subjects related to the occupation. Apprentices **will** **will not** be paid for hours spent attending related instruction classes. Insert Work Process Schedule and Related Instruction Outline at Appendix A.

E. Credit for Previous Experience – 29 CFR § 29.5(b)(12)

Apprentice applicants seeking credit for previous experience gained outside the apprenticeship program must furnish such transcripts, records, affidavits, etc. that may be appropriate to substantiate the claim. *Axiom Construction & Consulting, LLC* will evaluate the request for credit and make a determination during the apprentice's probationary period.

F. Probationary Period – (29 CFR § 29.5 (b)(8) and (20)

Every applicant selected for apprenticeship will serve a probationary period which may not exceed 25 percent of the length of the program or 1 year whichever is shorter. Insert probationary period at Appendix A.



G. Ratio of Apprentices to Journeyworkers - 29 CFR § 29.5 (b)(7)

Every apprenticeship program is required to provide an apprenticeship ratio of 1 apprentice to 1 journeyworker for adequate supervision. Insert ratio at Appendix A.

H. Apprentice Wage Schedule - 29 CFR § 29.5 (b)(5)

Apprentices must be paid a progressively increasing schedule of wages based on either a percentage or a dollar amount of the current hourly journeyworker wage rate. Insert the progressive wage schedule at Appendix A.

I. Equal Employment Opportunity and Affirmative Action

1. Equal Opportunity Pledge - 29 CFR §§ 29.5(b)(21) and 30.3(c)(1)

Axiom Construction & Consulting, LLC will not discriminate against apprenticeship applicants or apprentices based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, or because they are an individual with a disability or a person 40-years old or older.

Axiom Construction & Consulting, LLC will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, part 30.

Axiom Construction & Consulting, LLC acknowledges that it will adopt an affirmative action plan in accordance with 29 Title CFR § 30.4-30.9 **(required for sponsors with five or more registered apprentices by two years from the date of the sponsor's registration or by two years from the date of registration of the program's fifth (5th) apprentice)**. Information and technical assistance materials relating to the creation and maintenance of an affirmative action plan will be made available on the Office of Apprenticeship's website.

2. Selection Procedures - 29 CFR § 30.10

Every sponsor will adopt selection procedures for their apprenticeship programs, consistent with the requirements set forth in 29 CFR § 30.10(b). See Appendix A to enter your selection procedures for each occupation for which the sponsor intends to train apprentices.

J. Complaint Procedures - 29 CFR §§ 29.5(b)(22), 29.7(k), 29.12, and 29 CFR § 30.14

If an applicant or an apprentice believes, an issue exists that adversely affects the apprentice's participation in the apprenticeship program or violates the provisions of the apprenticeship agreement or standards, the applicant or apprentice may seek relief. Nothing in these complaint procedures precludes an apprentice from pursuing any other remedy authorized under another Federal, State, or local law. Below are the methods by which apprentices may send a complaint:

- 1. Complaints regarding discrimination.** Complaints must contain the complainant's name, address, telephone number, and signature, the identity of the respondent, and a short description of the actions believed to be



discriminatory, including the time and place. Generally, a complaint must be filed within 300 days of the alleged discrimination. Complaints of discrimination should be directed to the following contact:

Name: Brent Brown

Address: 1841 Front Street, Suite A

Lynden, Washington 98264

Attn: Apprenticeship EEO Complaints

Telephone Number: 360.354.1184 Ext. 221

Email Address: brent@axiomcc.net

- 2. Other General Complaints.** The sponsor will hear and attempt to resolve the matter locally if written notification from the apprentice is received within **15** days of the alleged violation(s). The sponsor will make such rulings as it deems necessary in each individual case within **30** days of receiving the written notification. Any complaint described in that cannot be resolved by the program sponsor to the satisfaction of all parties may be submitted to the Registration Agency. Complaints may be filed with the Registration Agency at:

Name: *US/DOL/OA, Douglas Howell, Multi-State Navigator*

Address: *333 S. Las Vegas Blvd. Ste 5520*

Las Vegas, NV 89101

Telephone Number: *702/601-9726*

Email Address: *Howell.douglas@dol.gov*

K. Registration Agency General Contact Information 29 CFR § 29.5(b)(17)

The Registration Agency is the United States Department of Labor's Office of Apprenticeship. General inquiries, notifications and requests for technical assistance may be submitted to the Registration Agency using the contact information below.

Name: *US/DOL/OA, Douglas Howell, Multi-State Navigator*

Address: *333 S. Las Vegas Blvd. Ste 5520*

Las Vegas, NV 89101

Telephone Number: *702/601-9726*

Email Address: *Howell.douglas@dol.gov*



L. Reciprocity of Apprenticeship Programs 29 CFR § 29.13 (a) (7)

States must accord reciprocal approval for Federal purposes to apprentices, apprenticeship programs and standards that are registered in other States by the Office of Apprenticeship or a Registration Agency if such reciprocity is requested by the apprenticeship program sponsor.

Program sponsors seeking reciprocal approval must meet the wage and hour provisions and apprentice ratio standards of the reciprocal State.

SECTION II - APPENDICES AND ATTACHMENTS¹

- Appendix A** – *Work Process Schedule, Related Instruction Outline, Apprentice Wage Schedule, Ratio of Apprentices to Journey workers, Type of Occupation, Term of Apprenticeship, Selection Procedures, and Probationary Period*
- Appendix B** – *ETA 671 - Apprenticeship Agreement (To be completed after registration)*
- Appendix C** – *Affirmative Action Plan (Required within two years of registration unless otherwise exempt per 29 CFR §30.4(d))*
- Appendix D** – *Employer Acceptance Agreement (For programs with multiple-employers only)*

¹ Prospective Sponsors may seek technical assistance with the Office of Apprenticeship in the development of the attachments.



SECTION III - SIGNATURES

OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS

The undersigned sponsor hereby subscribes to the provision of the Apprenticeship Standards formulated and registered by *Axiom Construction & Consulting, LLC*, on this *21st* day of *August 2020*.

The signatories acknowledge that they have read and understand the document titled "Requirements for Apprenticeship Sponsors" and that the provisions of that document are incorporated into this agreement by reference unless otherwise noted.

Signature of Sponsor (designee)
(Requires Manual Signature)

Brent Brown
Printed Name

SECTION IV - DISCLOSURE AGREEMENT *(Optional)*

I, *Brent Brown (Sponsor Representative)*, acting on behalf of *Axiom Construction & Consulting, LLC* authorize OA to share the Work Process Schedule and Related Instruction Outline in Appendix A with other potential apprenticeship sponsors.

Signature
(Requires Manual Signature)

August 21, 2020

Date

Brent Brown
Printed Name

Appendix A.1

**TRAINING APPROACH, TERM OF APPRENTICESHIP,
RATIO OF APPRENTICES, WAGE SCHEDULE,
PROBATIONARY PERIOD, SELECTION PROCEDURES**

AND

**WORK PROCESS SCHEDULE
RELATED INSTRUCTION OUTLINE**



Appendix A.1

Architectural Sheet Metal Worker O*NET-SOC CODE: 47-2211.00 RAPIDS CODE: 0510 HY

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

1. APPRENTICESHIP APPROACH

- Time-based Competency-based Hybrid

2. TERM OF APPRENTICESHIP

The term of the apprenticeship is recognized competencies with an OJL attainment of **9000 hours**, supplemented by the required **225 hours** of related instruction per year.

The related instruction hours will reflect the required hours of the institution.

Note: The competency-based training approach does not require OJL hours.

3. RATIO OF APPRENTICES TO JOURNEYWORKERS (Trainer/Mentor/Professional)

The apprentice to journey worker (trainer/mentor/professional) ratio is: 1 Apprentice to 1 Journey worker.

4. APPRENTICE WAGE SCHEDULE

Apprentices shall be paid a progressively increasing schedule of wages based on either a percentage or a dollar amount of the current hourly journeyworker (trainer/mentor/professional) wage rate. ##.

1 st	1800 hours @ 50%
2 nd	2700 hours @ 55%
3 rd	3600 hours @ 60%
4 th	4500 hours @ 65%
5 th	5400 hours @ 70%
6 th	6300 hours @ 75%
7 th	7200 hours @ 80%
8 th	8100 hours @ 85%
9 th	9000 hours @ 90%

The journeyworker (trainer/mentor/professional) wage rates are as follows:



Occupation	Per	Journey Level Wage Rate	Effective Date
Architectural Sheet Metal Worker	State of Washington – Private Sector Rate		
	Region 1: King, Pierce, Snohomish, Thurston, Lewis, Mason	\$35 per hr.	03-01-19
	Region 2: Skagit, Whatcom, San Juan, Island, Kitsap, Clallam, Jefferson, Grays Harbor, Pacific	\$32 per hr.	03-01-19
	Region 3: Ferry, Lincoln, Adams, Franklin, Walla Walla, Columbia, Whitman, Spokane, Stevens	\$28 per hr.	03-01-19
	Region 4: Wahkiakum, Cowlitz, Clark, Skamania, Klickitat	\$28 per hr.	03-01-19
	Region 5: Okanogan, Chelan, Kititas, Yakima, Benton, Grant, Douglas	\$28 per hr.	03-01-19
	Prevailing Wage Rate	Per L&I Posting	03-01-19

5. PROBATIONARY PERIOD

Every applicant selected for apprenticeship will serve a probationary period of 500 hrs.

6. SELECTION PROCEDURES

The process for finding and selecting the best talent possible for an apprenticeship opening position includes the following:

The sponsor may post open positions on career sites or the company's internal career board to solicit applications.

Applications will be pre-screened to eliminate candidates who do not meet the basic qualifications requirements of the position.

Those applicants that meet basic qualifications will be processed through an assessment to screen out those who lack the desire and interest for the apprenticeship. Screening applicants will be performed through interviews and job simulations to select candidates with the highest potential for apprenticeship success.

The Apprentice(s) will be selected based on the most qualified candidate.

Applicants that have accepted the position will be registered within 45 days.

The apprenticeship selection process and procedures will be uniformly and consistently applied to all applicants.

Any applicant who feels that they were wrongfully denied entry into the apprenticeship program may appeal the decision using the applicant appeals procedure described in Section J of the Standards.



Maintenance of Applications and Selection Records

The sponsor and participating employer will keep adequate records according to their own internal systems, policies, and procedures. There will be no undue burden placed on the company in regarding to hiring the applicant as their apprentice. The items and records maintained, including qualifications of each applicant; the basis for evaluation for selection or rejection of each applicant; the records pertaining to interviews of applicants; the original application for each applicant; information relative to the operation of the apprenticeship program, including, but not limited to, job assignment, promotion, demotion, layoff, or termination; rates of pay or other forms of compensation or conditions of work; hours including hours of work and, separately, hours of training provided; and any other records pertinent to a determination of compliance with 29 CFR § 30, as may be required by the U.S. Department of Labor.

The records pertaining to individual applicants selected will be maintained in such manner as to permit the identification of race, gender, or ethnicity.

Records will be maintained for 5 years from the date of last action and made available upon request to the U.S. Department of Labor or other authorized representative.



**WORK PROCESS SCHEDULE
ARCHITECTURAL SHEET METAL WORKER**

O*NET-SOC CODE: 47-2211.00 RAPIDS CODE: 0510 HY

A. Architectural Sheet Metal Worker Approximate Hours/Competency Level

The Architectural Sheet Metal Worker apprentice shall receive such instruction and experience in all branches of the trade, including the preparation of material for installation, as is necessary to develop a practical and skilled mechanic versed in the theory and practice of architectural sheet metal work. The following work schedule shall include, but not be limited to, the outline shown. It is to be used as a guide and will be followed as closely as local conditions will permit, on which the Committee will make decisions in order for the apprentice to be eligible for a Certificate of Completion.

1. General Sheet Metal Work (including but not limited to design, layout, fabrication and installation of sheet metal flashings, cornices, scuppers, crickets, furring, clips & fasteners) 1000
2. Operation of hand and power tools..... 1000
3. Architectural sheet metal work (including but not limited to design, layout, fabrication and installation of metal roof systems, decks, drainage, louvers, ventilators, metal siding systems, coping, flashing, gutters, building envelope, column covers and downspouts) 2500
4. Installation of water proofing products (including but not limited to installation of waterproofing membranes, weather resistant barrier products, liquid applied membranes & associated products 1000
5. Installation of composites, extrusions, phenolics, fiber cement products & associated components 1000
6. Soldering, Welding 500



7. Rigging & Signaling as pertaining to the trade	500
8. Computer Training	750
9. Safety & Hazmat Training.....	750
TOTAL HOURS:	9000

TOTAL HOURS 9000 hours



**RELATED INSTRUCTION OUTLINE
ARCHITECTURAL SHEET METAL**

O*NET-SOC CODE: 47-2111.00 RAPIDS CODE: 0510 HY

*[Click to enter O*NET Code](#) [Click to enter RAPIDS Code](#)*



Axiom Construction Education & Training

First Year – 225 Hours

- Construction Math
- Introduction to Geometry
- Safety Basics
- PPE
- Electrical Hazards Safety
- Lift Operations
- Signs, Signals, & Barricades
- Measurement & Scale
- Rigging & Signaling
- Fall Rescue
- Communication Skills

Second Year – 225 Hours

- Rainscreen Wall Systems
- Fasteners
- Sealant Joints
- Wall Cladding
- Construction Drawings
- Construction Specs
- Construction Math
- Welding
- Sheet Metal Fabrication
- Installation: Wall Systems



Third Year – 225 Hours

Fasteners
Windows
Louvers
Thermal Bridging
Soldering
Fabrication

Fourth Year – 225 Hours

Project Organization
Foreman Skills
Contract & Construction Documents
Planning & Scheduling
Resource Management
Quality Control
Installation

TOTAL MINIMUM HOURS 900 HRS.

Brent Brown, Education Manager
Phone (360) 354-1184 Ext.221
brent@axiomcc.net



Appendix C

AFFIRMATIVE ACTION PLAN

ADOPTED BY

AXIOM CONSTRUCTION & CONSULTING, LLC

AS REQUIRED UNDER 29 CODE OF FEDERAL REGULATIONS PART 30

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

(Registration Agency Representative Signature)

(Registration Agency Representative Typed/Printed Name)

(Title)

(Date)

This Affirmative Action Plan template is provided by the U.S. Department of Labor, Office of Apprenticeship, for the convenience of apprenticeship program sponsors. Its use is recommended to promote understanding of, and compliance with, the Department's EEO in Apprenticeship rules at 29 CFR Part 30.

Please supply all requested information, unless otherwise directed by the form. If needed, use additional pages to complete responses.



AFFIRMATIVE ACTION PLAN

We, *Axiom Construction & Consulting, LLC*, adopt this written affirmative action plan (“written AAP” or “Plan”) in good faith to promote equality of opportunity in our registered apprenticeship program. This written AAP is a part our apprenticeship Standards. We also incorporate by reference the Equal Opportunity Pledge contained in the Standards for this program.

This written AAP, which is based upon the minimum requirements for AAP contained in the equal opportunity in apprenticeship final regulation located at 29 CFR Part 30, is composed of nine key components. Each of these components requires us to examine different aspects of our apprentice workforce and document our review. At various stages of our review, we will analyze our utilization, recruitment activities, and selection, training, and assignment practices in order to ensure that all elements of our apprenticeship program are in accordance with equal employment opportunity requirements.

The key components of this AAP are as follows:

- Section I: Workforce Analysis for race, sex, and ethnicity (by occupational title and by major occupation group);
- Section II: Availability Analysis for race, sex, and ethnicity (by major occupation group);
- Section III: Utilization Analysis (comparing the workforce and availability analyses);
- Section IV: Utilization goals for race, sex, and ethnicity (if necessary);
- Section V: Utilization goals for individuals with disabilities;
- Section VI: Targeted outreach, recruitment, and retention activities (if necessary);
- Section VII: Annual review of personnel processes;
- Section VIII: Invitations to self-identify as an individual with a disability;
- Section IX: Official adoption of the written AAP.

Abbreviations Key:

Please note that the following abbreviations denoting relevant racial and ethnic groups appear in the demographic charts contained in this written AAP (Appendix C):

<i>Hisp</i>	=	<i>Hispanic;</i>
<i>AA</i>	=	<i>African American/Black;</i>
<i>AS</i>	=	<i>Asian;</i>
<i>AIAN</i>	=	<i>American Indian or Alaska Native;</i>
<i>NHPI</i>	=	<i>Native Hawaiian or Other Pacific Islander.</i>

NOTE: For detailed definitions of the above racial and ethnic groups, please see Attachment 1 of the Reference Guide.



PLEASE NOTE: To collect the demographic information on your apprentice workforce requested in Sections I through VIII below, you should consult the data supplied by your program's apprentices in ETA Form 671. In addition, to ensure timely compliance with the AAP requirements contained in 29 CFR part 30, you should keep a record of the date(s) on which you completed the analyses and activities described in Sections I through VIII below.

SECTION I - WORKFORCE ANALYSIS FOR RACE, SEX, AND ETHNICITY (BY OCCUPATIONAL TITLE AND BY MAJOR OCCUPATION GROUP)

The apprentice information needed to complete this workforce analysis section is available in the Registered Apprenticeship Partners Information Data System (RAPIDS) for all federally registered programs in the Office of Apprenticeship (OA) States, and for many state programs managed by State Apprenticeship Agencies (SAAs). Access to RAPIDS is available at:

<https://dol.appiancloud.com/suite/sites/registered-apprenticeship>. Sponsors that are not required to use RAPIDS to manage their apprentices are encouraged to work with the appropriate State Apprenticeship Agency to complete their workforce analysis.

The following terms are used in this section:

- An **Occupational Title** is a specific occupation that has been assigned an 8-digit "detailed occupation" code in the U.S. Bureau of Labor Statistics' Standard Occupational Classification and Coding Structure (SOC), <https://www.bls.gov/soc/>, and a corresponding 8-digit code in the Occupational Information Network (O*NET), <https://www.onetonline.org/>. Detailed occupations are defined so that each includes workers who perform similar job tasks based on work performed and, in some cases, on the skills, education and/or training needed to perform the work. For the purposes of completing the workforce analysis, occupation titles are defined by the 8-digit O*NET code. Sponsors can locate the O*NET code associated with their registered occupations from the program occupation tab in RAPIDS.
- A **Major Occupation Group** is the highest-level classification in the SOC, which combines related occupations into major occupation groups. These Major Occupation Groups are designated by the two-digit SOC code and the two-digit prefix of the O*NET code. (see Attachment 2, "Standard Occupational Classification and Coding Structure" in the accompanying Reference Guide for a complete list of the 23 major occupation groups and their two-digit SOC/O*NET code designations).

Example: A sponsor has an apprenticeship program that offers training in four different occupation titles: Roofer (8-digit SOC/O*NET Code: 47-2181.00), Electrician (SOC/O*NET Code 47-2111.00), Tool and Die Maker (8-digit SOC/O*NET Code: 51-4111.00), and Machinist (8-digit SOC/O*NET Code: 51-4041.00). In completing Tables 1, 2, and 3 of the workforce analysis below, the sponsor will enter identifying characteristics for their apprenticeship workforce by utilizing the Occupation Titles and the corresponding 8-digit SOC/O*NET Codes for each of those titles.

In completing Tables 4, 5, and 6 of the analysis, however, the sponsor will classify their apprentice workforce by the two Major Occupation Groups that encompass these titles: Construction (2-digit SOC Code: 47) and Manufacturing (2-digit SOC Code: 51).

INSTRUCTIONS FOR COMPLETING THE WORKFORCE ANALYSIS



In completing the tables (1 through 6) contained in this Section I, sponsors should utilize the demographic identification provided by apprentices in their Program Registration and Apprenticeship Agreements (see Form 671, Section II).¹ If you are a RAPIDS user, the workforce analysis is available as a report in the system. As noted above, sponsors that are not required to use RAPIDS to manage their apprentices are encouraged to work with the appropriate State Apprenticeship Agency to complete their workforce analysis.

A. Workforce Analysis by Occupational Title for Sex, Ethnicity, and Race

NOTE: The workforce analyses by occupational title for sex, ethnicity, and race contained in Tables 1, 2, and 3 in this Section should initially be completed by the second anniversary of the apprenticeship program’s registration with a Registration Agency. Subsequent workforce analyses for sex, ethnicity, and race should be undertaken at the time of each subsequent program review (or at least once every three years if a program review does not take place).

Instructions:

For each **Occupational Title** in a program, please indicate the total number of **responses** received from apprentices that self-identify for sex, ethnicity, and race in the following tables:

TABLE 1 – Occupational Titles by Sex

Number of Responses Selecting a Sex				
Occupational Title	8-Digit O*NET Code	Female	Male	Total
Architectural Sheet Metal Worker	47-2211.00			

TABLE 2 – Occupational Titles by Ethnicity

Number of Responses Selecting an Ethnicity				
Occupational Title	8-Digit O*NET Code	Hisp	Non-Hisp	Total
Architectural Sheet Metal Worker	47-2211.00			

TABLE 3 – Occupational Titles by Race

Note: For Table 3 below, responding apprentices may elect to choose **one or more** of the specified

¹ Self-identification is the most reliable method and preferred method for compiling information about a person’s sex, race, and ethnicity. Sponsors are strongly encouraged to rely on employee self-identification to obtain this information. Please note that while visual observation is an acceptable method for identifying demographic data in the absence of self-identification data, it may not be reliable in every instance, and sponsors should not guess or assume the sex, race, or ethnicity of an apprentice or applicant for apprenticeship.



racess. If an apprentice has identified himself or herself as more than one race, count the apprentice in each of the racial categories that he or she has identified.

EXAMPLE: *The sponsor of an apprenticeship program for the occupation of Lodging Manager obtained responses from 18 apprentices who identified their racial characteristics. Of these 18 individuals, 2 identified as AS only, 1 identified as both AS and AA, 4 identified as AA only, 1 identified as both AA and White, 1 identified as AIAN only, 0 identified as NHPI, and 9 identified as White only. While the number of respondents is 18, a total figure of 20 should nevertheless be entered in the "Total" responses column due to the selection by some apprentices of more than one race.*

Number of Responses Selecting One (or More) Race							
Occupational Title	8-Digit O*NET Code	AS	AA	AIAN	NHPI	White	Total
Lodging Managers	11-9081.00	3	6	1	0	10	20

Number of Responses Selecting One (or More) Race							
Occupational Title	8-Digit O*NET Code	AS	AA	AIAN	NHPI	White	Total
Architectural Sheet Metal Worker	47-2201.00						



B. Workforce Analysis by Major Occupation Group for Sex, Ethnicity, and Race

NOTE: The workforce analysis by major occupation group for sex, ethnicity, and race contained in Tables 4, 5, and 6 in this Section should initially be completed by the second anniversary of the apprenticeship program’s registration with a Registration Agency. Subsequent workforce analyses for sex, ethnicity, and race should be undertaken at the time of each subsequent program review (or at least once every three years if a program review does not take place).

Instructions:

For each **Major Occupation Group** in a program, please complete the following sex, ethnicity, and race tables.

TABLE 4 - Major Occupation Groups by Sex

Number of Responses Selecting a Sex					
Major Occupation Group	2-Digit O*NET Code	Female	Male	Total	Female Percent of Total Responses

TABLE 5 - Major Occupation Groups by Ethnicity

Number of Responses Selecting an Ethnicity					
Major Occupation Group	2-Digit O*NET Code	Hisp	Non- Hisp	Total	Hisp Percent of Total Responses



TABLES 6.1 and 6.2 – Major Occupation Groups by Race

Note: For Table 6.1 below, responding apprentices may elect to choose **one or more** of the specified races. If an apprentice has identified himself or herself as more than one race, count the apprentice in each of the race categories that he or she has identified.

For Table 6.2 below, align the Major Occupation Groups and 2-Digit O*NET Codes with the Major Occupation Groups and 2-Digit O*NET Codes completed in Table 6.1, and compute the percentage of total responses within a racial category by comparing the number of responses selecting a particular race to the total number of responses completed in Table 6.1.

EXAMPLE: Using the example above for Table 3, the program sponsor obtained responses from 18 apprentices who identified their racial characteristic. Of these 18 individuals, 2 identified as AS only, 1 identified as both AS and AA, 4 identified as AA only, 1 identified as both AA and White, 1 identified as AIAN only, 0 identified as NHPI, and 9 identified as White only. While the number of respondents is 18, a total figure of 20 should nevertheless be entered in the “Total” responses column due to the selection by some apprentices of more than one race.

Accordingly, to compute the percentage of total responses within a racial category, the sponsor would compare the number of responses selecting a particular race to the total number of responses (20). For instance, in the sample table below, the AS percentage is determined by calculating the proportion of AS responses (3) to the total number of responses (20), resulting in a figure of 15%.

(Please note that the occupational title for “Lodging Managers” that appears in Table 3 above is classified under the “Management Occupations” Major Occupation Group for purposes of this table, with a two-digit SOC/O*NET Code of 11).

6.1 Number of Responses Selecting One (or More) Race							
Major Occupation Group	2-Digit O*NET Code	AS	AA	AIAN	NHPI	White	Total
<i>Management Occupations</i>	11	3	6	1	0	10	20

6.2 Percent of Total Responses					
Major Occupation Group	2-Digit O*NET Code	AS	AA	AIAN	NHPI
<i>Management Occupations</i>	11	15%	30%	5%	0%



6.1 Number of Responses Selecting One (or More) Race							
Major Occupation Group	2-Digit O*NET Code	AS	AA	AIAN	NHPI	White	Total

6.2 Percent of Total Responses					
Major Occupation Group	2-Digit O*NET Code	AS	AA	AIAN	NHPI

**SECTION II – AVAILABILITY ANALYSIS FOR RACE, SEX, AND ETHNICITY
(BY MAJOR OCCUPATION GROUP)**

PLEASE NOTE: You should complete this section only in connection with a program review conducted by your Registration Agency. The Registration Agency will provide you with assistance in completing this section.

A. Minimum Educational Attainment Levels Required for Program Enrollment

Select the minimum educational attainment qualification required to be eligible to enroll in the Major Occupation Group(s) covered by your apprenticeship program from among the options below.

Choose One:

- Not High School graduate
- High School graduate (including equivalency)
- Some College or Associate’s degree
- Bachelor’s degree
- Master’s degree
- Doctorate or professional degree

NOTE: The options listed immediately above correspond to the educational attainment categories



for which the U.S. Government compiles workforce data by race, national origin, and sex. Use the same educational qualifications that are in your Standards; check all levels above that apply.

Age: At least 18 year of age.

Physical: Must be able to perform the duties of the position with or without reasonable accommodations.

Testing: Applicants must complete an entrance assessment at a Washington State Community or Technical College, and provide test results showing the ability to place or enroll in an Intermediate Math course coded at the 90 level or higher. Applicants who have taken and passed an Algebra course in high school or college with a "B" or 3.0 grade or better, within the last 12 months prior to application, may present transcripts in lieu of testing. The cost of the test will be paid by the applicant.

Other: Must have a valid Washington State driver's license. Applicants shall submit proof of the education, testing, and age qualifications, and driver's license, to the Committee before their applications will be considered completed. This must be done within sixty (60) days of the date of the application. Applicants not completing the application within sixty (60) days will be required to reapply.

NOTE: These required additional qualifications must already be in the sponsor's Standards; they cannot be added subsequently.

B. Designated Recruitment Area for Apprentices

Select the category below that corresponds to the **relevant recruitment area** for each Major Occupation Group represented in your program.

Choose One:

- External recruitment area** – the geographical area from which the sponsor usually seeks or reasonably could seek apprentices when recruiting from outside of its own current employees. An external recruitment area can be an area within a specific radius of a sponsor's location; a county or counties; or a state or states. Please provide a brief rationale for selecting this recruitment area:

Enter text here

- Other recruitment area or source** – a source or geographic area *other* than an External Recruitment Area from which a sponsor seeks (or reasonably could seek) to recruit



apprentices (such as from the sponsor's existing workforce). Please describe this source or area and explain your reason(s) for selecting it:

Enter text here

- Combination of external recruitment area / other recruitment area or source** – If your program typically recruits apprentices from an external recruitment area AND another recruitment area or source (such as from your existing workforce), select this option, explain your reason for selecting it, and provide the estimated percentage of selectees that typically come from each source (e.g., 75% selectees from external recruitment area / 25% selectees from existing workforce):

Recruitment shall be from (1) existing workforce (estimated 75% of selectees from this source) and (2) external recruitment (estimated 25% of selectees from this source).

SELECTION PROCEDURES

Applicant will be selected for apprenticeship based on the following factors:

1. The company shall do a companywide posting, announcing openings as they occur in the apprentice occupation.
2. The company shall select the apprentices from those employees in the company who answer the posting.
3. Selection shall be based on past work history, a demonstrated learning ability, prior schooling or experience, and Committee interview panel.
4. The committee will notify applicants of the selection.

EQUAL EMPLOYMENT OPPORTUNITY PLAN; EXTERNAL RECRUITMENT

1. The following statements will be included in advertisements and announcements for apprentice positions: "Axiom Construction & Consulting, LLC, is an Equal Opportunity Employer. Women and minorities are encouraged to apply."
2. Announcements of apprenticeship opportunities will be dispersed to all Axiom Construction & Consulting, LLC, employees. Advertisements of employment opportunities may also be posted with the Work Source Centers, military/veteran organizations, newspapers, and minority organizations.
3. Work with local school districts, vocational education systems, military/veteran organizations, and school employees to develop programs for preparing students to meet the standards and criteria required to qualify for entry into apprenticeship programs.
4. Grant advanced standing or credit for previously-acquired experience or training on a case-by-case basis.

C. Specifying the External Recruitment Area

If you are utilizing an External Recruitment Area, please complete the following items:



For each Major Occupation Group, we seek (or reasonably could seek) individuals who live in the following geographical zones or jurisdiction(s):

- A political jurisdiction
- A geographical zone that is a specified radius from the sponsor's program location

If you checked "political jurisdiction" above, please specify the jurisdiction:

- County (ies): *County(ies)*
- State(s): *Washington*

NOTE: Definitions for these Census Bureau political jurisdiction categories are provided in Attachment 3 of the Reference Guide.

If you instead checked "a specified radius from the sponsor's program location," please CHECK ONE of the following distances:

- | | | |
|-----------------------------------|------------------------------------|-------------------------------------|
| <input type="checkbox"/> 5 miles | <input type="checkbox"/> 25 miles | <input type="checkbox"/> 300 miles |
| <input type="checkbox"/> 10 miles | <input type="checkbox"/> 50 miles | <input type="checkbox"/> 500 miles |
| <input type="checkbox"/> 15 miles | <input type="checkbox"/> 100 miles | <input type="checkbox"/> 1000 miles |
| <input type="checkbox"/> 20 miles | <input type="checkbox"/> 200 miles | |



SECTION III: UTILIZATION ANALYSIS (COMPARING THE WORKFORCE AND AVAILABILITY ANALYSES)

NOTE: The utilization analysis contained in this Section should initially be completed, **with the assistance of the Registration Agency**, at the first program review after the second anniversary of registration. Subsequent utilization analyses should be undertaken at the time of each subsequent program review (or at least once every three years if a program review does not take place).

Determining Whether the Establishment of Utilization Goals Is Necessary: Methods for Utilization Analysis

A. Using the Demographic Analysis Tool

OA strongly encourages you to use the electronic **Demographic Analysis Tool (DAT)**², with assistance from the Registration Agency, to conduct a utilization analysis because it provides a streamlined process for conducting the analysis, and also utilizes the most accurate, up-to-date national demographic data. **You are eligible to utilize the DAT if you satisfy ALL of the following criteria:**

- If, for a Major Occupation Group, you do not require applicants to meet credentials or skills beyond those specified in the minimum educational attainment checkboxes in Section II. A (*see Section II. A above*);
- If, for a Major Occupation Group, you recruit apprentices **solely** from an **external recruitment area** (i.e., you choose to establish a recruitment area that is based on a source derived from U.S. Census Bureau data) (*see Section II. B above*), AND
- You choose to utilize either the “80% method” or the “two standard deviations method” (which are described in Section III. B below) for conducting a utilization analysis.

PLEASE NOTE: If you do **not** meet each of the three criteria listed above, you will need to contact the Registration Agency to conduct your utilization analysis.

B. Applicable Methodology for Utilization Analysis Review

Select the method used to evaluate whether the utilization of women, Hispanics or Latinos, or a particular racial minority group in your workforce is significantly less than would be reasonably expected given the availability of such individuals for apprenticeship:

- 80% Method** (Under the “80% method”, if utilization is less than 80% of availability, it is considered significantly less);
- Two Standard Deviations Method** (Under the “two standard deviations” method, if utilization is more than two standard deviations less than availability, it is considered significantly less. A standard deviation is a statistical test that predicts the likelihood that an

² The DAT utilizes U.S. Census Bureau data derived from the [EEO Tabulation EEO-ALL07R-NI: Educational Attainment \(6\) by Younger Age Groups, Sex, and Race/Ethnicity \(Part I\) for Residence Geography, Total Population, Number](#)



outcome – in this case, the outcome that utilization is less than availability – occurs by chance).
PLEASE NOTE: The “two standard deviations” method may only be used if the program sponsor employs a total of 30 or more apprentices, as measured in Table 1 (Occupational Titles by Sex) of this Appendix C; or

- If you choose a method **OTHER** than the 80% Method or the Two Standard Deviations Method, you must describe it in the space below (please limit the number of characters to 2,000). **Please also note that selection of such an alternative method will disqualify you from utilizing the DAT.**

Enter text here

After completion of the DAT with the Registration Agency, attach the results to this written AAP (Appendix C). Then proceed to Section IV below.



SECTION IV: UTILIZATION GOALS FOR RACE, SEX, AND ETHNICITY (IF NECESSARY)

PLEASE NOTE: *If the results of your utilization analysis (Section III above) did not identify any significant underutilization of apprentices by sex, race, or ethnicity in a Major Occupation Group, you may skip this section and proceed to Section V.*

Completion of Table 7 below is only required in connection with a program review conducted by a Registration Agency. The Registration Agency will provide you with assistance in completing this section.

Based on the analyses summarized in the **DAT Report**, identify the sex/race/ethnic group(s) for which the proportion in your Major Occupation Group was significantly less than that group's availability in the relevant recruitment area(s). Record the results in **Table 7** below by copying the "yes" and "no" utilization outcomes from the **DAT Report** in the second column of the Table.

Next, enter the percentage utilization goal for any race, sex, or ethnicity group in which there was significant underutilization. The goal for any such group must at least equal the corresponding availability figure in the **DAT Report**, rounded to the nearest whole number. For any row in which the response in the second column is "no," leave the third column blank.

TABLE 7 - Underutilization of Sex, Ethnicity, and Race

Population Group	Significant Underutilization? (Yes/No) [from the DAT Report]	Goal (%) [at least equal to the corresponding figures in the DAT Report]
Women		
Hisp		
AA		
AS		
AIAN		
NHPI		

PLEASE NOTE: *The percentage goals listed in Table 7 above are not intended and will not be used by the program sponsor to discriminate against any qualified applicant or apprentice on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability. These goals do not supersede eligibility requirements for this apprenticeship program.*

The program sponsor will not use these goals as rigid and inflexible quotas; as either a ceiling or a floor for the selection of members of a particular group(s) as apprentices; or as a justification to extend a preference to any individual, select an individual, or adversely affect an individual's status as an apprentice. Instead, the sponsor will use these goals as objectives or targets, applying every good faith effort to make all aspects of the entire affirmative action program work and to attain the goals.



SECTION V – UTILIZATION GOALS FOR INDIVIDUALS WITH DISABILITIES

NOTE: The workforce analysis for individuals with disabilities (IWDs) in this Section should initially be completed by the second anniversary of the apprenticeship program’s registration with a Registration Agency. Subsequent workforce analyses for individuals with disabilities should be undertaken at the time of each subsequent program review (or at least once every three years if a program review does not take place).

A. Workforce Analysis for Individuals with Disabilities by Occupational Title

Table 8 below shows, for each **Occupational Title** represented in the program, the numbers of apprentices in the workforce whose responses to the question “do you have a disability?” on their most recent Voluntary Disability Disclosure Form was “yes;” “no;” or “I do not wish to answer” (or who did not return the form).

TABLE 8 –Disability Status by Occupational Title

Number of Individuals Responding to the Question: “Do you have a disability?”					
Occupational Title	8-Digit O*NET Code	Yes	No	Did not answer or return form	Total Number of Individuals Responding ‘Yes’ or ‘No’

B. Workforce Analysis for Individuals with Disabilities by Major Occupation Group

Table 9 below shows, for each **Major Occupation Group** represented in the program, the numbers and percentages of apprentices whose responses to the question “do you have a disability?” on their most recent Voluntary Disability Disclosure Form was “yes;” “no;” or “I do not wish to answer” (or who did not return the form).



TABLE 9 – Disability Status by Major Occupation Group

Number of Individuals Responding to the Question: "Do you have a disability?"						
Major Occupation Group	2-Digit O*NET Code	Yes	No	Did not answer or return form	Total Number of Individuals Responding 'Yes' or 'No'	Proportion of persons responding 'yes' to the total number of individuals that responded either 'yes' or 'no' (expressed as a percentage)

C. Identification of Potential Impediments for Individuals with Disabilities (IWDs)

The Major Occupation Group(s) in our program in which the percentage of IWDs was less than seven percent is/are listed in the first column of Table 10 below. For these groups, we reviewed our program to identify any impediments to equal opportunity for IWDs, with the results shown in the second column. The following are examples of impediments to achieving equal employment opportunity for apprentices with IWDs, which may be utilized in completing Table 10 below.

- Lack of effective outreach to IWDs
- Inaccessible methods for testing applicants' qualifications or readiness for progression
- Qualifications or other selection mechanisms that disfavor IWDs and are not job related
- Hostile or unwelcoming work environments for IWDs
- Different training opportunities or work assignments for IWDs than for others
- Different pay, disciplinary standards, or other working conditions for IWDs
- Failure to provide reasonable accommodations or information about reasonable accommodations
- Provisions in collective bargaining or employer acceptance agreements
- Other: *(fill in the blank)* _____

TABLE 10 - Impediments to EEO for IWDs

Major Occupation Groups in which the percentage of IWDs was less than 7%	Impediments to EEO for IWDs
	1. 2. 3.
	1. 2. 3.



**SECTION VI – TARGETED OUTREACH, RECRUITMENT, AND RETENTION ACTIVITIES
(IF NECESSARY)**

PLEASE NOTE: Completion of this section is **mandatory** if you were required to adopt race, sex, or ethnicity goals (under Section IV of this written AAP) or if you found impediments to equal employment opportunity for IWDs (under Section V of this written AAP). Otherwise, completion of this section is purely optional.

In the coming year, we will undertake the outreach, recruitment, and retention activities listed below. These activities are targeted to the race/sex/ethnicity group(s) for which we adopted goals (as shown in **Section IV**) and/or to IWDs (if we found impediments to equal employment opportunity for such individuals, as shown in **Section V**).

1. We will disseminate information to organizations serving each underutilized group regarding the nature of our apprenticeship program, requirements for selection for apprenticeship, availability of apprenticeship opportunities, and our equal opportunity pledge. The Universal Outreach Tool (UOT) can help connect sponsors with local organizations who may be able to assist sponsors in meeting their outreach, recruitment, and retention goals; the UOT may be accessed at: <https://apprenticeshipusa.secure.force.com/eoresourceool>.) These organizations and the group(s) that each serve are listed in **Table 11**:

TABLE 11 – Organizations Serving Underutilized Populations

Major Occupation Group	Underutilized Population (i.e., Women, AA, HISP, AS, AIAN, NHPI, IWDs)	Organization(s) serving population to which information will be disseminated



2. We will advertise all openings for apprenticeship opportunities by publishing advertisements in the following media that have wide circulation in our relevant recruitment areas:

Enter text here. (Please limit the number of characters to 2,000.)

3. We will cooperate with the following local school boards and vocational education systems to develop and/or establish relationships with pre-apprenticeship programs targeting students from each underutilized group to prepare them to meet the standards and criteria required to qualify for entry into our apprenticeship programs:

Enter text here. (Please limit the number of characters to 2,000.)

4. We will establish linkage agreements or partnerships with the following pre-apprenticeship programs, community-based organizations, advocacy organizations, or other appropriate organizations, in recruiting qualified individuals for apprenticeship:

Enter text here. (Please limit the number of characters to 2,000.)



5. After every selection cycle for registering apprentices, we will evaluate and document the overall effectiveness of the above-targeted outreach and recruitment activities and refine them as needed.

[Choose one:]

- The documentation of the evaluations of these activities that we conducted since the last review is attached to this written AAP; **or**
- We did not select or register any apprentices since the last review.

6. We *[Choose one:]* **will** / **will not** also undertake the following optional activities:

- Enlist journeyworkers (i.e., experienced workers) from the underutilized group(s) to assist in implementing our AAP.
- Enlist journeyworkers from the underutilized group(s) to mentor apprentices and to assist with our targeted outreach and recruitment activities.
- Conduct exit interviews of each apprentice who leaves our apprenticeship program before completion to understand better why he/she left and to help shape retention activities.
- Other:

[Choose as many as applicable, or none.]

Enter text here

SECTION VII – ANNUAL REVIEW OF PERSONNEL PRACTICES

PLEASE NOTE: You should initially complete this section by the second anniversary of your program's registration with a Registration Agency, and again on an annual basis.

We conduct a thorough, systematic, and comprehensive review of our personnel processes related to the administration of the apprenticeship program annually. Such an annual review ensures that the apprenticeship program is operating free from discrimination based on race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, and disability.



Our reviews have included (but may not be limited to): the qualifications for apprenticeship, application and selection procedures, wages, outreach and recruitment activities, advancement opportunities, promotions, work assignments, job performance, rotations among all work processes of the occupation, disciplinary actions, handling of requests for reasonable accommodations, and the program's accessibility to individuals with disabilities (including the use of information and communication technology).

As a result of our most recent annual review, which was conducted on: *(insert date)* _____, we made or will make the modifications to the program listed in **Table 12** below. Examples of modifications that may improve equal employment for apprentices may include, but not limited to:

- Developing, revising, or enhancing training or information sessions on EEO requirements, and providing a nondiscriminatory, welcoming work environment
- Taking appropriate disciplinary actions (up to and including termination) against staff or apprentices who engage in unlawful harassment or otherwise fail to provide equal employment opportunity
- Renegotiating or terminating collective bargaining or employer acceptance agreements to eliminate discriminatory policies or processes or otherwise allow the sponsor to address barriers or impediments to EEO
- Taking steps to ensure that compensation in an occupational group does not vary based on any protected category
- Revising work assignments to ensure that they do not discriminate on the basis of any protected category
- Revising disciplinary standards to ensure that they do not discriminate on the basis of any protected category
- Other provision of reasonable accommodations to IWDs: *Fill in the blank*

TABLE 12 - Modifications of Personnel Practices

Modification of Personnel Practices	Date Made or To Be Made



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SECTION VIII – INVITATIONS TO SELF-IDENTIFY AS AN INDIVIDUAL WITH A DISABILITY

PLEASE NOTE: You should initially complete this section by the second anniversary of your program’s registration with a Registration Agency, and again on each occasion that you update your written AAP.

- On *(insert date)* _____, we began inviting all applicants for our program, at the time that they apply or are considered for apprenticeship, to inform us whether they believe that they are IWDs.
- We invited our then-current apprentices to self-identify on *(insert date)* _____.
- Since then, we have continued to invite all applicants to self-identify when they apply, and all accepted applicants to self-identify after acceptance into the program but before they begin their apprenticeships.
- Every year, we have reminded all current apprentices that they may update their Voluntary Disability Disclosure Form. We sent our most recent reminder on *(insert date)* _____.
- We use the Voluntary Disability Disclosure Form for these self-identification invitations, and keep it separate from the application and the apprentice’s program files.



SECTION IX – OFFICIAL ADOPTION OF WRITTEN AFFIRMATIVE ACTION PLAN

1. Adoption by the Sponsor

(where there is no labor union involvement in the sponsorship of the program)

Axiom Construction & Consulting, LLC, adopts this written Affirmative Action Plan on this 21st day of August, 2020.

[Handwritten signature]

Signature of Sponsor’s Representative

Brent Brown

Typed/Printed Name

August 21, 2020

Date

2. Adoption by Labor and Management Representatives of the Sponsor

(where applicable)

[Complete below ONLY IF there is joint union-management sponsorship of the apprenticeship program, and where separate signatures from labor union and management representatives are required.]

(insert official name of sponsor) _____ adopts this written Affirmative Action Plan on this *(day)* day of *(month)*, 20 *(year)*.

Signature of Management Representative

Signature of Labor Representative

(insert typed/printed name) _____

(insert typed/printed name) _____

Typed/Printed Name

Typed/Printed Name

(insert date) _____

(insert date) _____

Date

Date

EXHIBIT 2

U.S. Department of Labor

Assistant Secretary for
Employment and Training
Washington, D.C. 20210



July 2, 2020

Mr. Joel Sacks
Director
Washington State Department of Labor and Industries
P.O. Box 44000
Olympia, WA 98504

Dear Mr. Sacks:

On February 6, 2020, the office of Representative Cathy McMorris Rodgers emailed the U.S. Department of Labor (Department) on behalf of Western Refinery Services (WRS), an open-shop refinery contractor that filed an application with Washington's State Apprenticeship Agency (SAA), the Washington State Department of Labor and Industries (WA DLI), to register an apprenticeship program. The email expressed the view that WA DLI was not complying with the requirements of Section 5 of its own HB1817 law, titled "Ensuring for a skilled and trained workforce in high hazard facilities."

As you are aware, Section 5 of HB1817 requires the WA DLI to prioritize consideration of new apprenticeship programs for workers in high-hazard facilities and for the Washington State Apprenticeship and Training Council (WSATC) to issue a decision within six months of receiving a completed application for a new state Registered Apprenticeship program for workers in high-hazard facilities. WRS maintains that a number of existing union-sponsored programs have expressed their objections to the approval of the WRS apprenticeship program standards. Consistent with Washington State law, these objections are either adjudicated by the WSATC or referred to the office of administrative hearings for adjudication. See Wash. Admin. Code 296-05-011(2)(a)-(d) (describing the competitor objection process for proposed apprenticeship standards). As a consequence of the competitor objections received by the WSATC on WRS's apprenticeship program standards, the WSATC referred the matter to the office of administrative hearings. However, adjudication of the matter has been delayed as a result of the Covid-19 pandemic.

SAAs, such as the WA DLI, are granted recognition by the Department to register programs and apprentices for federal purposes, but only after demonstrating that their state's laws and regulations governing Registered Apprenticeships conform to the minimum federal requirements outlined in 29 Code of Federal Regulations (CFR), part 29, subpart A, and 29 CFR, part 30. The regulations governing Registered Apprenticeship programs at 29 CFR, part 29, subpart A, also authorize the Department to register programs and apprentices in SAA states on its own initiative as it deems necessary. Specifically, 29 CFR 29.13(a) of the regulations provide that the Department's recognition of an SAA does not confer the SAA exclusive authority to determine if an apprenticeship program is eligible for federal purposes.

Section 29.13(i) of the regulations further stipulate that the Department's Office of Apprenticeship (OA), notwithstanding any grant of recognition to an SAA, "retains full authority

to register apprenticeship programs and apprentices” nationwide in instances where OA “determines that such action is necessary to further the interests of the National Apprenticeship System.” Given the ongoing delay by the WA DLI to register WRS’ apprenticeship program, OA plans to exercise its authority under 29 CFR 29.13(i) and offer WRS the opportunity to register the program with the Department, because the Department has determined that it is in the best interest of the National Apprenticeship System to do so. The Department is aware that federal registration will not enable WRS to operate as a refinery construction contractor in Washington State because WRS must be registered with the WSATC to meet safety standards. *See* Wash. Rev. Code Ann. § 49.80.010. However, we strongly encourage WA DLI to expeditiously register WRS as an apprenticeship program to provide an opportunity for apprentices and potential apprentices who seek to participate in such a program in your State.

OA remains concerned about Washington State’s ongoing compliance issues with the Department’s regulations at 29 CFR, part 29, subpart A, and part 30. The noncompliance issue raised by Representative McMorris Rodgers’ above-described inquiry highlights the decision-making authority of the WSATC, including the ability of the WSATC to field objections from competitors on proposed apprenticeship standards for new programs. The Department’s Registered Apprenticeship regulations at 29 CFR 29.2 provide that the State Apprenticeship Council cannot be the state’s recognition agency and that the council’s role is to assist the SAA either in a regulatory or advisory capacity. Contrary to the Department’s regulations, in Washington, the WSATC continues to control the decision-making for the State’s apprenticeship system when such decision-making authority is reserved to the SAA. Further, the ability for competitors to file objections to new apprenticeship program standards is not permitted under the Department’s regulations.¹

The Department issued the current version of 29 CFR, part 29, subpart A (Registered Apprenticeship Programs), in October of 2008 and established a two-year deadline from the effective date of the final rule for states to comply with the rule. However, since that time, it appears that Washington State has not fully conformed its state apprenticeship laws and regulations with the requirements of 29 CFR, part 29, subpart A. In connection with 29 CFR, part 30, the WA DLI will need to update its Equal Employment Opportunity (EEO) in Apprenticeship Plan and authorizing language in order to come into full compliance with § 30.18. The Washington State’s apprenticeship laws and regulations will also need to be updated to incorporate the recent EEO-related updates made to 29 CFR 29.5 and 29.7 as a result of the 2017 revision of the rule. OA looks forward to collaborating and working cooperatively with WA DLI to bring its state apprenticeship laws and administrative practices into compliance with 29 CFR part 29, subpart A, and 29 CFR part 30.

Please note that by not reaching compliance, the WA DLI risks the State’s eligibility for Departmental funding to expand Registered Apprenticeship. As you aware, the Department awarded Washington State a \$6,039,364.54 State Apprenticeship Expansion grant, in part, to help advance Registered Apprenticeships in the State. A condition of the State Apprenticeship

¹ Both 29 CFR 29.13 and 29.14 state that an SAA must register programs in conformity with the regulations at part 29, subpart A, and part 30. Subpart A, at 29 CFR 29.3(b), states that a program is eligible for registration for federal purposes if it is in conformity with subpart A and part 30. Neither subpart A nor part 30 allow for competing programs to halt the registration of an otherwise eligible program.

Expansion grant is that Washington State must complete the process for compliance with the Department's regulations within the period of performance or risk its eligibility to apply for future funding. *See Attachment B, at 17.* The funds may be used to accelerate the state plan to come into compliance with these regulations.

We expect that Washington State will take the necessary actions to bring its state apprenticeship laws and administrative practices into compliance with the Department's regulations to avoid jeopardizing WA's status as a federally recognized State Apprenticeship Agency, as well as future federal funding for Registered Apprenticeships in your State. Please provide us with a response to the issues and concerns raised in this letter no later than 30 business days from the date of this correspondence. Please feel free to contact John Ladd at (202) 693-3704 or Ms. Patricia Garcia, OA Regional Director for Region 6, at (415) 625-2232 if you have any questions.

Sincerely,



John Pallasch
Assistant Secretary for Employment and Training

Enclosure: WA DLI State Apprenticeship Expansion Grant Agreement

cc: The Honorable Cathy McMorris Rodgers, U.S. House of Representatives
Jody Robbins, Program Manager, Apprenticeship Section, WA DLI
Patricia Garcia, Region 6 Regional Director, OA
Aaron Wall, Region 6 Regional Executive Assistant, OA
Douglas Howell, Region 6 Multi-State Navigator, OA

EXHIBIT 3

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



August 18, 2020

Joshua D. Brittingham, Esq.
Davis Grimm Payne & Marra
701 Fifth Avenue, Suite 4850
Seattle, WA 98104

Dear Mr. Brittingham:

Thank you for your letter to the U.S. Department of Labor's (Department) Office of Apprenticeship (OA) on behalf of your client Axiom Construction & Consulting, LLC ("Axiom"), describing difficulties that Axiom has encountered in registering their apprenticeship program in a timely fashion with the State of Washington's State Apprenticeship Agency (SAA), the Washington Department of Labor and Industries (WA DLI). Your letter also requests that OA grant recognition to Axiom's program pursuant to its authority under 29 CFR § 29.13(i).

OA has recently been in contact with the WA DLI about delays in approving registration applications that have been encountered by other, similarly-situated apprenticeship programs seeking to operate in the State of Washington. Given the WA DLI's ongoing delay in reaching a determination on the registration of Axiom's apprenticeship program, OA plans to exercise its authority under 29 CFR § 29.13(i) and offer to register Axiom's apprenticeship program with OA, provided that Axiom's program meets all of the requirements contained in 29 Code of Federal Regulations (CFR), part 29, subpart A (Registered Apprenticeship Programs), and 29 CFR, part 30 (Equal Employment Opportunity in Apprenticeship). OA is prepared to evaluate Axiom's application because it has determined that this approach is in the best interest of the National Apprenticeship System. Because the Department's regulation at 29 CFR § 29.13(b)(7) provides for reciprocal approval for federal purposes of apprenticeship programs that are registered by OA or a state registration agency, this approach should allow Washington State to expeditiously approve Axiom's application to become a Registered Apprenticeship program.

OA will continue its communication with the WA DLI, emphasizing the importance of conforming its state apprenticeship laws and regulations with the requirements of 29 CFR, part 29, subpart A, and 29 CFR, part 30. OA will also continue to work with the WA DLI to ensure both the timely registration of apprenticeship programs in their State and the harmonization of Washington's Registered Apprenticeship laws and procedures with federal regulations.

We hope this information is helpful to you. Please contact Ms. Patricia Garcia, OA Regional Director for Region 6, at (415) 625-2232 or Garcia.Patricia@dol.gov, so that she and her staff can provide assistance and answer any questions you may have concerning the process of registering Axiom's apprenticeship program.

Sincerely,



John V. Ladd
Administrator
Office of Apprenticeship

cc: Ms. Patricia Garcia, Region 6 Regional Director, OA
Mr. Aaron Wall, Region 6 Regional Executive Assistant, OA
Mr. Douglas Howell, Region 6 Multi-State Navigator, OA

From: [Howell, Douglas - ETA](#)
To: [Robbins, Jody M \(LNI\)](#); [Martin, Patrick M \(LNI\)](#)
Cc: [Wall, Aaron - ETA](#)
Subject: Status of Federal Programs
Date: Thursday, September 10, 2020 2:08:02 PM

Here is the status of these 3 programs

WRS was approved under provisional registration on 8/21/2020.

Tanco submitted Standards for approval and have not been approved at this time.

Axiom submitted Standards for approval and have not been approved at this time.

Douglas Howell
Region 6 Multi-State Navigator
(HI,GU,OR,WA,NV and AZ)
United States Department of Labor
Office Of Apprenticeship
333 S. Las Vegas Blvd. Ste 5520
Las Vegas, NV 89101
702-388-6396 Office
702-601-9726 Cell
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Registered Apprenticeship References

Website: <https://www.dol.gov/featured/apprenticeship>

Blogsite: <https://apprenticeshipusa.workforcegps.org/>

Employer Toolkit: https://www.doleta.gov/oa/employers/apprenticeship_toolkit.pdf

Federal Resources Playbook: <https://www.doleta.gov/oa/federalresources/playbook.pdf>

LEADERS: <https://www.dol.gov/apprenticeship/leaders.htm>

College Consortium: <https://doleta.gov/oa/racc.cfm>

Veterans: <https://www.doleta.gov/OA/veterans.cfm>

List of Apprenticeship Occupations: <http://www.doleta.gov/OA/occupations.cfm>