

Apprenticeship Reciprocal Agreement

Between

Montana, Oregon, and Washington

Effective: As of the latest signature affixed herein



**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 signatory states
2. To eliminate the need for dual registration of Program Standards in signatory states

WHEREAS the parties to this Agreement wish to provide for the freedom of movement of the registered apprenticeship workforce between the states of Montana, Oregon, and Washington; and,

Have agreed that apprentices registered in the states of Montana, Oregon, and Washington shall be recognized as registered apprentices in each of the signatory states; and

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

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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.
- II. This agreement will not be used by programs to circumvent the laws and rules of a partnered 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 is unnecessary. 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. **Licensing and certification:** Employers and apprentices must comply with all applicable licensing and certification requirements in the state where the work 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 his/her 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 state where the work is to be performed, dual registration of standards, employer and/or apprentice may be necessary.

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V. **Apprentice ratio and wage:** Employers 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 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.

VI. **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 work is being performed. It is understood nothing in this agreement shall preclude individual states or parties from promulgating or adopting rules and regulations governing the operation of their own state's Public Works Act.

VII. **Program compliance:** Apprenticeship programs and their training agent employers must maintain good standing with their 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 Employer compliance status will be verified by the signatory parties to this Agreement upon request.

VIII. **Registration of New Apprenticeship Program Standards:** Signatory States may consider the following when registering new programs:

1. The program sponsor has a pending application for approval in a signatory state;
2. A program has been denied registration approval for cause;
3. A program sponsor has a pending appeal or is under judicial review.

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4. Program Standards shall reflect the actual geographical jurisdiction in which a program operates including counties in reciprocal States.
- IX. **Complaints and investigations:** Complaints regarding alleged violations of this agreement should be submitted in writing to the registration agency for the state in which the apprentice and employer are registered, with a copy to the registration agency in the state where the work was performed. The agencies will jointly determine how the investigation will be conducted and confer with the other signatory parties prior to taking remedial action.
- X. **Revocation of reciprocity:** Any apprenticeship program and/or a training agent employer found to be operating in a manner inconsistent with this agreement or his/her 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.
- XI. **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 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.

- XII. **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.

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- XIII. **Amendments:** This Agreement may be amended by the written mutual consent of all signatory parties.
- XIV. **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.

Signatures and Dates:

State of Montana by and through:

Signature:

Date:

Quinlan O' Connor, Chief Legal Counsel, Montana Department of Labor & Industry.

Signature:

Date:

Lauri Esau, Commissioner, Montana Department of Labor & Industry.

State of Oregon by and through:

Signature:

Date:

Val Hoyle, Commissioner, Oregon Bureau of Labor and Industries.

Signature:

Date:

Lisa Ransom, Secretary, Oregon State Apprenticeship and Training Council.

State of Washington by and through:

Signature:

Date:

Ed Kommers, Chair, Washington State Apprenticeship and Training Council.

Signature:

Date:

Eric Lawless, Assistant Attorney General, Department of Labor & Industries.

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Signatures and Dates:

State of Montana by and through:

Signature:  Date: 10/19/21
Quinlan O' Connor, Chief Legal Counsel, Montana Department of Labor & Industry.

Signature:  Date: 10.19.21
Lauri Esau, Commissioner, Montana Department of Labor & Industry.

State of Oregon by and through:

Signature:  Date: 9-16-2021
Val Hoyle, Commissioner, Oregon Bureau of Labor and Industries.

Signature:  Date: 9/16/21
Lisa Ransom, Secretary, Oregon State Apprenticeship and Training Council.

State of Washington by and through:

Signature:  Date: 8/9/2021
Ed Kommers, Chair, Washington State Apprenticeship and Training Council.

Signature:  Date: 8/17/2021
Eric Lawless, Assistant Attorney General, Department of Labor & Industries.