

(SAMPLE)

STANDARDS OF APPRENTICESHIP

DEVELOPED BY

**INTERNATIONAL UNION
OF PAINTERS AND ALLIED TRADES
FINISHING TRADES INSTITUTE**

FOR ALL OCCUPATIONS LISTED IN THESE STANDARDS



APPROVED BY

(REGISTRATION AGENCY)

These “model” National Guidelines for Apprenticeship Standards are an example of how to develop apprenticeship standards that will comply with Title 29 CFR parts 29 and 30 when tailored to a sponsor’s apprenticeship program. These model Standards do not create new legal requirements or change current legal requirements. The legal requirements related to apprenticeship that apply to registered apprenticeship programs are contained in 29 U.S.C. 50 and Title 29, CFR parts 29 and 30. Every effort has been made to ensure that the information in the model Apprenticeship Standards is accurate and up-to-date.

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FOREWORD

These International Union of Painters and Allied Trades Finishing Trades Institute Apprenticeship Standards have as their objective, the training of all occupations listed in these Standards skilled in all phases of the industry. The JATC recognizes that in order to accomplish this, there must be well-developed on-the-job learning combined with related instruction.

This recognition has resulted in the development of these Standards of Apprenticeship. They were developed in accordance with the basic standards recommended by the U.S. Department of Labor, Office of Apprenticeship, as a basis from which the Sponsor can work to establish an apprenticeship training program that meets the particular needs of the area.

DEFINITIONS

(Some of these definitions may not apply to all registered apprenticeship programs – Employers may add or delete definitions depending on their need.)

Apprentice: Any individual employed by the employer meeting the qualifications described in the Standards of Apprenticeship who has signed an Apprenticeship Agreement with the local *Sponsor providing* for training and related instruction under these Standards, and who is registered with the Registration Agency.

Apprentice Electronic Registration (AER): Is an electronic tool that allows for instantaneous transmission of apprentice data for more efficient registration of apprentices and provides Program Sponsors with a faster turnaround on their submissions and access to their apprenticeship program data.

Apprenticeship Agreement: The written agreement between the apprentice and the Joint Apprenticeship and Training Committee (JATC) (acting as agent for the employer), which sets forth the responsibilities and obligations of all parties with respect to the Apprentice's employment and training. Each Apprenticeship Agreement must be filed with the Registration Agency.

Certificate of Completion of Apprenticeship: The Certificate of Completion of Apprenticeship issued by the Registration Agency to those registered apprentices certified and documented as successfully completing the apprentice training requirements outlined in these Standards of Apprenticeship.

Collective Bargaining Agreement (CBA): The negotiated agreement between the Union and signatory Employers that sets forth the terms and conditions of employment.

Consultants: The JATC may request interested agencies or organizations to designate a representative to serve as a consultant. Consultants may be asked to participate without vote in conferences on special problems affecting the agencies or organizations they represent.

Director of Training: An individual designated by the JATC to oversee the day to day operations of the apprenticeship and training program, as well as, but not limited to the program's training records, apprentice and program compliance.

Electronic Media: Media that utilize electronics or electromechanical energy for the end user (audience) to access the content; and includes, but is not limited to, electronic storage media, transmission media, the Internet, extranet, lease lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic media and/or interactive distance learning.

Employer: Means any person or organization employing an apprentice whether or not such person or organization is a party to an Apprenticeship Agreement with the apprentice.

Employer Group: Any number of employers who are considered as approved training agents under these Apprenticeship Standards through a negotiated labor agreement, jointly or individually.

Finishing Trades Institute: The training entity for all crafts under the umbrella of the International Union of Painters and Allied Trades; and the name under which all District Council and Local Union standards shall be named. Example: *the Finishing Trades Institute of (District Council or Local Union Number - State and/or City)*.

Hybrid Occupation: The hybrid approach measures the individual apprentice's skill acquisition through a combination of specified minimum number of hours of on-the-job-learning and the successful demonstration of competency as described in a work process schedule. *(if applicable)*

Interim Credential: Interim Credential means a credential issued by the Registration Agency, upon request of the appropriate sponsor, as certification of competency attainment by an apprentice.

Joint Apprenticeship and Training Committee (JATC): Apprenticeship Committee means those persons designated by the sponsor to act as an agent for the sponsor in the administration of the program. A committee may be either joint or non joint as follows: A joint committee is composed of an equal number of representatives of the employer(s) and of the employees represented by a bona fide collective bargaining agent(s).

Journeyworker: A worker who has attained a level of skill, abilities and competencies recognized within an industry as having mastered the skills and competencies required for the occupation. (Use of the term may also refer to a mentor, technician, specialist or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship or through practical on-the-job experience and formal training.)

O*NET-SOC Code: The Occupational Information Network (O*NET) codes and titles are based on the new Standard Occupational Classification (SOC) system mandated by the federal Office of Management and Budget for use in collecting statistical information on occupations. The O*NET classification uses an 8-digit O*NET-SOC code. Use of the SOC classification as a basis for the O*NET codes ensures that O*NET information can be readily linked to labor market information such as occupational employment and wage data at the national, State, and local levels.

On-The-Job Learning (OJL): Tasks learned on-the-job in which the apprentice must become proficient before a completion certificate is awarded. The learning must be through structured, supervised work experience.

Performance Improvement Plan: A document created by the JATC, with input from the apprentice, to identify the corrective actions necessary for an apprentice to demonstrate satisfactory progress in his or her apprenticeship training program.

Probationary Period: A defined period of time during which the apprenticeship agreement may be terminated by either party of the agreement upon written notice to the Registration Agency.

Program Sponsor: The individual District Council or Local Unions JATC in whose name the local Standards of Apprenticeship are registered, having the full responsibility for administration and operation of the apprenticeship program.

Registered Apprenticeship Partners Information Data System (RAPIDS): The Federal System which provides for the automated collection, retention, updating, retrieval and summarization of information related to Apprenticeship programs.

Registration Agency: Means the U.S. Department of Labor, Office of Apprenticeship or a recognized State Apprenticeship Agency that has responsibility for registering apprenticeship programs and apprentices; providing technical assistance; conducting reviews for compliance with Title 29, CFR parts 29 and 30 and quality assurance assessments.

Related Instruction: An organized and systematic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom, through occupational or industrial courses, or by correspondence courses of equivalent value, electronic media, or other forms of self-study approved by the Registration Agency.

Standards Of Apprenticeship: This entire document including all appendices and attachments hereto, and any future modifications or additions approved by the Registration Agency.

Supervisor of Apprentice(s): An individual designated by the program sponsor to supervise or have charge and direction of an apprentice.

Transfer: A shift of apprenticeship agreement from one program to another or from one employer within a program to another employer within that same program, where there is agreement between the apprentice and the affected apprenticeship committee or program sponsor.

Union: Means the **(INSERT UNION)** and any of its affiliated Local Unions party to an appropriate labor agreement between the parties.

Work Processes: Tasks in which the apprentice must demonstrate proficiency before a completion certificate is granted.

SECTION I – PROGRAM ADMINISTRATION (SAMPLE)

Structure of the Joint Apprenticeship and Training Committee (JATC)

The International Union of Painters and Allied Trades (IUPAT) Finishing Trades Institute (FTI) of *(District Council or Local Union Number - State and/or City)*, Joint Apprenticeship and Training Committee (JATC), in whose name these Standards of Apprenticeship are registered, shall be composed of an equal number of representatives appointed by management and the union. The JATC shall be comprised of three (3) representatives and one (1) alternate appointed by management and three (3) representatives and one (1) alternate appointed by the union. A Quorum shall consist of no less than one (1) representative of the employers and one (1) representative of the union.

Technical assistance - such as that from the U.S. Department of Labor, Office of Apprenticeship, State Apprenticeship Agencies, and vocational schools – may be requested to advise the JATC.

Administrative Procedures:

- A. The JATC will elect a Chairperson and a Secretary, and will determine the time and place of regular meetings which will take place every **(ENTER FREQUENCY)** month(s).
- B. The Chairperson and Secretary will have the power to vote on all questions affecting apprenticeship.
- C. The Chairperson and Secretary should rotate among members of the JATC.

Responsibilities of the Joint Apprenticeship and Training Committee:

- A. Establish and register Standards of Apprenticeship with the Registration Agency, and ensure adherence thereto.
- B. Coordinate development of Standards of Apprenticeship with IUPAT/FTI and follow IUPAT/FTI prescribed procedures for approval and recognition of Standards of Apprenticeship prior to submittal to the Registration Agency.
- C. Establish and maintain rules and requirements governing the policies, administration, supervision, and training of apprentices. The rules and requirements shall be in conformity with the Collective Bargaining Agreement (CBA) and with the Apprenticeship Standards. A copy of the

- standards, rules and requirements, shall be provided to the Registration Agency and the Apprentice. Modifications must also be provided to the Apprentice and the Registration Agency.
- D. Determine the need for new apprentices, including when apprenticeship openings will be available and selecting apprentices in accordance with the Selection Procedures attached hereto and made a part of the Apprenticeship Standards.
 - E. Initiate and sign all Apprenticeship Agreements and forward them to the Registration Agency for registration. In addition, the FTI of **(District Council or Local Union Number - State and/or City)** will notify the Registration Agency, IUPAT/FTI, employer, and other appropriate parties of the cancellation, suspension, extension, reinstatement, or completion of apprentices.
 - F. Arrange for apprentices to receive the required On-the-Job Learning (OJL) and the Related Instruction (RI) that will provide them with the diversity of training delineated in the attached Program of Study.
 - G. Monitor and evaluate the apprentices' progress, including the review of apprentices' records to insure apprentices are fulfilling their responsibilities under the program. Further, the FTI of *(District Council or Local Union Number - State and/or City)* JATC will review, approve, and document all apprentice actions including: hours, content, and progress of OJL and RI; wage progressions; disciplinary actions; evaluations; corrective action plans; successful completions; cancellations; and any other performance or attendance-related issues.
 - H. Hear and adjust complaints regarding Apprenticeship Agreement violations.
 - I. Where applicable, certify that the apprentice has completed the requirements for an Interim Credential, and submit the certification to the Registration Agency and the IUPAT/FTI with the request for the issuance of the appropriate Interim Credential.
 - J. Certify that the apprentice has completed both the required OJL and RTI, and submitting the certification to the Registration Agency and the IUPAT/FTI with the request for the issuance of a Certificate of Completion of Apprenticeship.

- K. Annually review and update or modifying (if deemed necessary) the Affirmative Action Plan (Appendix C), good faith efforts, selection procedures and the Apprenticeship Standards. Such review will include an analysis of the FTI of *(District Council or Local Union Number - State and/or City)* JATC's success in meeting its goals, the good faith effort made, and the impact each element of the Affirmative Action Plan and Selection Procedures had on meeting the goals.
- L. Maintain all records relating to the recruitment, selection, employment and training of apprentices for a minimum of five years from the last date of action.
- M. Administer and operate a continuing education program for Journeyworkers.
- N. Ensure that all funds for the operation of the apprenticeship and training program(s) are held in a jointly administered Trust Fund established by the local Collective Bargaining Agreement(s) and operated as set forth in the Declaration of Trust and in accordance with applicable law.
- O. Provide apprentices with a copy of the written rules and policies and the apprentice will sign an acknowledgment receipt of same. This procedure will be followed whenever revisions or modifications are made to the rules and policies.

SECTION II - EQUAL OPPORTUNITY PLEDGE - Title 29 CFR 29.5(b) (21) and 30.3(b)

The recruitment, selection, employment, and training of apprentices during their apprenticeship, shall be without discrimination because of race, color, religion, national origin, or age. The sponsor 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 (CFR), part 30, as amended (insert state regulations here, if applicable).

The apprenticeship program will be conducted, operated and administered in conformity with applicable provisions of Title 29 CFR part 30, as amended

SECTION III - AFFIRMATIVE ACTION PLAN – Title 29 CFR 29.5(b)(21) and 30.4

If the employer employs five or more apprentices, the JATC will adopt an Affirmative Action Plan and Selection Procedures as required under Title 29, CFR part 30. It will be attached as Appendix C.

SECTION IV - QUALIFICATIONS FOR APPRENTICESHIP – Title 29 CFR 29.5(b)(10)

Apprenticeship applications will be accepted on the basis that applicants have met and shown documented proof of all required minimum qualifications at the time of application.

Apprenticeship applicants must meet the following minimum qualifications:

A. Age

All applicants must be at least eighteen (18) years of age **except as noted below*. Applicants are required to submit reliable proof of age (e.g., a driver's license, birth certificate or other acceptable documentation).

B. Education

A high school diploma or GED is required. Applicants are required to submit reliable proof of education (e.g., a high school transcript or GED scores).

All applicants must possess sufficient educational knowledge to satisfactorily complete the OJL and RI.

C. Physical

The Applicant shall be physically capable of performing the essential functions of the chosen trade without posing a direct threat to the health and safety of themselves or any other individuals, with reasonable accommodations.

**An applicant who is seventeen (17) years of age and is participating in a school-to-work program or equivalent and who otherwise meets all qualifications may be rated and ranked and placed on the Pool of Eligible's list. Such an applicant must provide proof that a high school diploma or GED has been awarded and must be eighteen (18) years of age prior to being registered by the sponsor.*

SECTION V - SELECTION OF APPRENTICES – Title 29 CFR 30.5

Selection into the apprenticeship program will be in accordance with the selection procedures made a part of these Standards (Appendix D).

SECTION VI - APPRENTICESHIP AGREEMENT - Title 29 CFR 29.3(d) and (e) and 29.5(b)(11)

Prior to employment as an apprentice or enrollment in RI or OJL, the selected apprentice and an authorized representative of the JATC will sign a written Apprenticeship Agreement (Appendix B). The JATC will immediately submit the Apprenticeship Agreement to the Registration Agency for approval and registration. Such agreement will contain a statement making the terms and conditions of these standards a part of the agreement as though expressly written therein. A copy of each Apprenticeship Agreement will be furnished to the apprentice, the JATC, the Registration Agency, the employer and the union, if appropriate.

An additional copy of the Apprenticeship Agreement will be provided to the Veteran's State Approving Agency for those veteran apprentices desiring access to any benefits to which they may be entitled.

Prior to signing the Apprenticeship Agreement, each selected applicant will be given an opportunity to read and review these Standards, the JATC's written rules and policies, the Apprenticeship Agreement, and the sections of the Collective Bargaining Agreement (CBA) that pertain to apprenticeship.

The Registration Agency will be advised within forty-five (45) days of the execution of each Apprenticeship Agreement and will be given all the information required for registering the apprentice.

SECTION VII - RATIO OF APPRENTICES TO JOURNEYWORKERS - Title 29 CFR 29.5(b)(7)

A numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements. The ratio language must be specific and clearly described as to its application on the job site, workforce, department or plant. The ratio of apprentices to journeyworkers will be **(INSERT NUMBER)** apprentices to **(INSERT NUMBER)** journeyworkers.

SECTION VIII – TERM OF APPRENTICESHIP – Title 29 CFR 29.5(b)(2)

The term of the apprenticeship shall be a period of reasonably continuous employment, including the probationary period, as prescribed in the OJL schedule found within Appendix A of these standards. The **(name of occupation)** apprenticeship shall be a combination of **a range of hours** of OJL, plus a minimum of 144 hours of RI annually. In the event the apprentice is required to work overtime, he/she shall receive credit on his term of apprenticeship for only the actual hours worked.

An apprentice, who by exceptional aptitude or as a result of past education and/or practical experience achieves the desired level of competency in a phase of the apprenticeship program in less than the time designated, may be advanced to the next phase with the formal approval of the JATC. The determination of such advancement is outlined in the competencies for each craft. It is the responsibility of the FTI of *(District Council or Local Union Number - State and/or City)* JATC to confirm that all competencies have been satisfactorily met, within the guidelines of these standards.

SECTION IX - PROBATIONARY PERIOD – Title 29 CFR 29.5(b)(8), (b)(20)

Each applicant selected for apprenticeship shall serve a probationary period of no less than the first ninety (90) calendar days from the commencement of OJL. The probationary period shall not exceed 25 percent of the maximum range of hours established by the program, but in no case shall the probationary period exceed one year.

During the probationary period either the apprentice or the JATC may terminate the Apprenticeship Agreement, without stated cause, by notifying the other party in writing.

The records for each probationary apprentice shall be reviewed by the JATC prior to the end of the probationary period. Records may consist of periodic reports regarding progression made in both the OJL and related instruction and any disciplinary action taken during the probationary period. Any probationary apprentice evaluated as satisfactory after such review shall be given full credit for the probationary period and continue in the program.

Prior to the end of the probationary period, the JATC must act on each probationary apprentice to end the probation, extend the probation, or cancel the apprenticeship agreement. All interested parties shall be notified of such action.

After the probationary period, the apprenticeship agreement may be canceled at the request of the apprentice, or may be suspended or canceled by the JATC for reasonable cause after documented due notice to the apprentice and a

reasonable opportunity for corrective action. In such cases, the JATC will provide written notice to the apprentice and to the Registration Agency of the final action taken.

SECTION X - HOURS OF WORK

Apprentices will generally work the same hours as journeyworkers except that no apprentice will be allowed to work overtime or out of town if it interferes with attendance in related instruction classes.

Apprentices who do not complete the required hours of OJL during a given segment will have the term of that segment extended until the required number of hours of training are accrued.

SECTION XI - APPRENTICE WAGE PROGRESSION – Title 29 CFR 29.5(b)(5)

Apprentices will be paid a progressively increasing schedule of wages during their apprenticeship based on the acquisition of increased skill and competence on-the-job and in related instruction. Before an apprentice is advanced to the next segment of training or to journeyworker status, the JATC will evaluate all progress to determine whether advancement has been earned by satisfactory performance in their OJL and in related instruction courses. In determining whether satisfactory progress has been made, the JATC will be guided by the work experience and related instruction records and reports.

The progressive wage schedule will be an increasing percentage of the journeyworker wage rate as established in the CBA. The percentages that will be applied to the applicable journeyworker rate are shown on the attached Sample Work Process Schedule and Related Instruction Outline (Appendix A). In no case will the starting wages of apprentices be less than that required by any minimum wage law which may be applicable.

SECTION XII - CREDIT FOR PREVIOUS EXPERIENCE - Title 29 CFR 29.5(b)(12) and 30.4(c)(8)

The FTI of (***District Council or Local Union Number - State and/or City***) JATC may grant credit towards the term of apprenticeship to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to the competencies established under these Standards.

Apprentice applicants seeking credit for previous experience gained outside the supervision of the JATC must submit such a request at the time of application and furnish such records, affidavits, and other such materials as may be required

by the JATC to document their previous employment, training, and experience. Such applicants will be required to demonstrate their hands-on proficiencies as well as be subject to a formal written and/or electronic assessment(s) and **(insert other local requirements, if applicable)** to substantiate the claim. The FTI of **(District Council or Local Union Number - State and/or City)** JATC will utilize standardized assessment instruments provided by the IUPAT/FTI to determine the knowledge, skills and competencies of apprentice applicants seeking credit for previous experience.

Applicants requesting such credit who are selected into the apprenticeship program shall start at the beginning wage rate. If credit is granted, it shall be given with the formal approval of the JATC. The request for credit will be evaluated and a determination made by the JATC during the probationary period when actual on-the-job and related instruction performance can be examined. Prior to completion of the probationary period, the amount of credit to be awarded will be determined after review of the apprentice's previous work and training/education record and evaluation of the apprentice's performance and demonstrated skill and knowledge during the probationary period.

An apprentice granted credit shall be advanced to the wage rate designated for the level to which such credit accrues. The granting of advanced standing will be uniformly applied to all apprentices. The Registration Agency will be advised of any credit granted and the wage rate to which the apprentice is advanced.

Applicants who successfully complete the application process for apprenticeship and have successfully completed the **(occupation title)** Job Corps Program or are entering through recognized preparatory programs (including the Helmets to Hardhats Program, other Veterans Programs, and Native American Programs) shall be evaluated, in terms of their prior experience, through hands-on assessments as well as be subject to a formal written and/or electronic assessment(s). They will then be placed within the program at the point that corresponds with their proven experience.

SECTION XIII - WORK EXPERIENCE – Title 29 CFR 29.5(b)(3) and 30.8

During the apprenticeship the apprentice will receive such OJL and related instruction in all phases of the occupation necessary to develop the skill and proficiency of a skilled journeyworker. The OJL will be under the direction and guidance of the supervisor of the apprentice(s).

SECTION XIV - RELATED INSTRUCTION – Title 29 CFR 29.5(b)(4)

During each segment of training, apprentices are required to attend classes in subjects related to their chosen occupation as outlined in Appendix A. A minimum of 144 hours of RI is required annually during the term of

apprenticeship. Apprentices agree to take such courses as the JATC deems advisable. The JATC will secure the instructional aids and equipment it deems necessary to provide quality instruction. Apprentices will not be paid for hours spent attending RI classes unless approved for payment by the FTI of **(District Council or Local Union Number - State and/or City) JATC**.

If applicable, the JATC will inform each apprentice of the availability of college credit through the **(insert the names of educational institutions which will offer college credit)**.

Any apprentice who is absent from related instruction classes, unless officially excused, will satisfactorily complete all course work missed before being advanced to the next period of training. In cases of failure of an apprentice to fulfill the obligations regarding related instruction (or OJL) without due cause, the JATC will take appropriate disciplinary action and may terminate the Apprenticeship Agreement after due notice to the apprentice and opportunity for corrective action.

To the extent possible, related instruction will be closely correlated with the practical experience and training received on-the-job. The JATC will monitor and document the apprentice's progress in related instruction classes.

The JATC will secure competent instructors whose knowledge, experience, and ability to teach will be carefully examined and monitored. If applicable, when possible, the JATC may require the instructors to attend the **(insert names of institutions that will provide training)**.

SECTION XV - SAFETY AND HEALTH TRAINING – Title 29 CFR 29.5(b)(9)

All apprentices will receive instruction in safe and healthful work practices both on-the-job and in related instruction that are in compliance with the Occupational Safety and Health Standards promulgated by the Secretary of Labor under 29 U.S.C. 651 et seq., as amended, dated December 29, 1970, and subsequent amendments to that law, or State Standards that have been found to be at least as effective as the Federal Standards.

Apprentices will be taught that accident prevention is very largely a matter of education, vigilance, and cooperation and that they should strive at all times to conduct themselves in their work to ensure their own safety and that of their fellow workers.

SECTION XVI - SUPERVISION OF APPRENTICES – Title 29 CFR 29.5(b)(14)

The JATC will be responsible for the training of the apprentice on the job. Apprentices will be under the general supervision of the JATC and under the direct supervision of the journeyworker to whom they are assigned. The

supervisor of apprentice(s) designated by the employer will be responsible for the apprentice's work assignments, and will ensure the apprentice is working under the supervision of a skilled journeyworker, evaluation of work performance, and completion and submittal of progress reports to the JATC.

No apprentice will be allowed to work without direct journeyworker supervision.

SECTION XVII - RECORDS AND EXAMINATIONS – Title 29 CFR 29.5(b)(6)

Each apprentice may be responsible for maintaining a record of his/her work experience/training on-the-job and in related instruction and for having this record verified by his/her supervisor at the end of each week. The apprentice will authorize an effective release of their completed related instruction records from the local school authorities to the JATC. The record cards and all data, written records of progress evaluations, corrective and final actions pertaining to the apprenticeship, will be maintained by and will be the property of the JATC. This record will be included in each apprentice's record file maintained by the JATC.

Before each period of advancement, or at any other time when conditions warrant, the JATC will evaluate the apprentice's record to determine whether he/she has made satisfactory progress. If an apprentice's related instruction or on-the-job progress is found to be unsatisfactory, the JATC may determine whether the apprentice will continue in a probationary status, or require the apprentice to repeat a process or series of processes before advancing to the next wage classification. In such cases, the JATC will initiate a performance improvement plan with the apprentice.

Should it be found that the apprentice does not have the ability or desire to continue the training to become a journeyworker, the JATC will, after the apprentice has been given adequate assistance and opportunity for corrective action, terminate the Apprenticeship Agreement.

SECTION XVIII – MAINTENANCE OF RECORDS - Title 29 CFR 29.5(b)(23)

The FTI of ***(District Council or Local Union Number - State and/or City)***, JATC, in whose name these Standards of Apprenticeship are registered, will maintain for a period of five (5) years from the date of last action, all records relating to apprentice applications (whether selected or not), the employment and training of apprentices, and any other information relevant to the operation of the program. This includes, but is not limited to, records on the recruitment, application and selection of apprentices, and records on the apprentice's job assignments, promotions, demotions, layoffs, terminations, rates of pay or other forms of compensation, hours of work and training, evaluations, and other relevant data.

The records will permit the identification of minority and female (minority and non-minority) participants. These records will be made available upon request to the Registration Agency.

SECTION XIX - CERTIFICATE OF COMPLETION OF APPRENTICESHIP – Title 29 CFR 29.5(b)(15)

Upon satisfactory completion of the requirements of the apprenticeship program as established in these Standards, the JATC will so certify in writing to the Registration Agency and request that a Certificate of Completion of Apprenticeship be awarded to the completing apprentice(s). Such requests will be accompanied by the appropriate documentation for both the OJL and the related instruction as may be required by the Registration Agency.

SECTION XX - NOTICE TO REGISTRATION AGENCY – Title 29 CFR 29.3(2)(d) and (e) and 29.5(b)(19)

The Registration Agency will be notified within forty-five (45) days of all new apprentices to be registered, credit granted, suspensions for any reason, reinstatements, extensions, modifications, completions, cancellations, and terminations of Apprenticeship Agreements and causes.

SECTION XXI - CANCELLATION AND DEREGISTRATION – Title 29 CFR 29.5(b)(18)

These Standards will, upon adoption by the JATC, be submitted to the Registration Agency for approval. Such approval will be acquired before implementation of the program.

The **(INSERT NAME OF JATC)** reserves the right to discontinue at any time the apprenticeship program set forth herein. The Registration Agency and the IUPAT/FTI will be notified promptly in writing of any decision to cancel the program.

Deregistration of these Standards may be initiated by the Registration Agency for failure of the JATC to abide by the provisions herein. Such deregistration will be in accordance with the Registration Agency's regulations and procedures.

Within fifteen (15) days of cancellation of the apprenticeship program (whether voluntary or involuntary), the FTI of **(District Council or Local Union Number – State and/or City)** JATC will notify the IUPAT/FTI and each apprentice of the cancellation and the effect of same. This notification will conform to the requirements of Title 29, CFR part 29.7.

SECTION XXII - AMENDMENTS OR MODIFICATIONS – Title 29 CFR 29.5(b)(18)

These Standards may be amended or modified at any time by the FTI of (*District Council or Local Union Number – State and/or City*) JATC provided that no amendment or modification adopted will alter any Apprenticeship Agreement in force at the time without the consent of all parties. Such amendment or modification will be submitted to the IUPAT/FTI for approval before being submitted to the Registration Agency for approval and registration prior to being placed in effect. Such submission shall include an explanation of the reason for the amendment, be it regulatory, programmatic, or other. A copy of each amendment or modification adopted will be furnished to each apprentice to whom the amendment or modification applies.

SECTION XXIII - ADJUSTING DIFFERENCES/COMPLAINT PROCEDURE – Title 29 CFR 29.5(b)(22) and 30.11

The FTI of (*District Council or Local Union Number - State and/or City*) JATC will have full authority to supervise the enforcement of these Apprenticeship Standards. Its decision will be final and binding on the employer, the local union, and the apprentice, unless otherwise noted below.

If an applicant or an apprentice believes an issue exists that adversely affects his/her participation in the apprenticeship program or violates the provisions of the Apprenticeship Agreement or Standards, relief may be sought through one or more of the following avenues, based on the nature of the issue:

Title 29 CFR 29.7(k)

For issues regarding wages, hours, working conditions, and other issues covered by the CBA, apprentices may seek resolution through the applicable Grievance and Arbitration procedures contained in the Articles of the CBA.

The JATC will hear and resolve all complaints of violations concerning the Apprenticeship Agreement and the registered Apprenticeship Standards, for which written notification is received within fifteen (15) days of violations. The JATC will make such rulings as it deems necessary in each individual case and within thirty (30) days of receiving the written notification. Either party to the Apprenticeship Agreement may consult with the Registration Agency for an interpretation of any provision of the Standards over which differences occur. The name and address of the appropriate authority to receive, process and make disposition of complaints is: (*JATC should insert applicable information here*).

If the apprentice believes the JATC did not resolve the issue to his/her satisfaction, the apprentice may appeal to the Registration Agency.

Title 29 CFR 30.11

Any apprentice or applicant for apprenticeship who believes he/she has been discriminated against on the basis of race, color, religion, national origin, or sex with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of the apprenticeship program, may personally or through an authorized representative contact the Federal Equal Employment Opportunity Commission (EEOC), or the Registration Agency.

The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the Program Sponsor involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.

The complaint must be filed not later than one hundred and eighty days (180) from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and in case of complaints filed directly with the review body designated by the Program Sponsor to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or thirty (30) days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.

Complaints of discrimination in the apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.

The JATC will provide written notice of its complaint procedure to all applicants for apprenticeship and all apprentices.

SECTION XXIV - COLLECTIVE BARGAINING AGREEMENTS – Title 29 CFR 29.11

Nothing in this part or in any apprenticeship agreement will operate to invalidate:

- (a) Any apprenticeship provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards; or
- (b) Any special provision for veterans, minority persons, or women in the standards, apprentice qualifications or operation of the program, or in the apprenticeship

agreement, which is not otherwise prohibited by law, Executive Order, or authorized regulation.

SECTION XXV - TRANSFER OF AN APPRENTICE AND TRAINING OBLIGATION - Title 29 CFR 29.5(13)

The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on agreement between the apprentice and the affected apprenticeship committee or program sponsors, and must comply with the following requirements:

- A. The transferring apprentice must be provided a transcript of related instruction and on-the-job learning by the committee or program sponsor;
- B. Transfer must be to the same occupation; and
- C. A new apprenticeship agreement must be executed when the transfer occurs between the program sponsors.

In the event the Sponsor is unable to fulfill its obligation under the Apprenticeship Agreement due to lack of work or failure to conform to these Standards, the Sponsor will make every effort to refer the apprentice with his/her consent to another employer, Registration Agency, or One Stop for placement into another registered apprenticeship program. This will provide the apprentice an opportunity for continuous employment and completion of his/her apprenticeship program. The apprentice must receive credit from the new employer for the training already satisfactorily completed.

SECTION XXVI - RESPONSIBILITIES OF THE APPRENTICE

Apprentices, having read these Standards formulated by the JATC and signed an Apprenticeship Agreement with the JATC agree to all the terms and conditions contained therein and agree to abide by the JATC's rules and policies, including any amendments, serve such time, perform such manual training, and study such subjects as the JATC may deem necessary to become a skilled **(INSERT FIELD AS APPROPRIATE)**.

In signing the Apprenticeship Agreement, apprentices assume the following responsibilities and obligations under the apprenticeship program:

- A. Keep the Director of Training and/or training office, as designated by the JATC, informed of his/her current contact information, including but not limited to, address, phone number(s), and name changes.
- B. Perform diligently and faithfully the work of the occupation and such other duties as may be assigned by the employer and the JATC in accordance with the provisions of these Standards.

- C. Respect the property of the employer and not waste, damage or injure such property.
- D. Abide by all working rules and regulations of the employer, the union, and the JATC, including but not limited to drug and alcohol policies.
- E. Attend and satisfactorily complete the required hours in OJL and in related instruction in subjects related to the occupation, as provided under these Standards.
- F. Maintain and make available such records of work experience and training received on-the-job and in related instruction as may be required by the Sponsor.
- G. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of other workers.
- H. Work safely at all times and comply with all company and legislative requirements.
- I. Maintain a professional, credible, ethical and moral manner at all times.
- J. Work for the employer to whom the apprentice is assigned for the completion of apprenticeship, unless reassigned to another employer or the Apprenticeship Agreement is terminated by the JATC.

SECTION XXVII - TECHNICAL ASSISTANCE

Technical Assistance, such as that from the U.S. Department of Labor, Office of Apprenticeship, State Apprenticeship Agencies, and vocational schools, may be requested to advise the JATC.

The JATC is encouraged to invite representatives from industry, education, business, private and/or public agencies to provide consultation and advice for the successful operation of their training program.

Advice and assistance in the successful operation and implementation of these apprenticeship standards will be available at any time, upon request, from: the International Finishing Trades Institute trustees and staff; the International Union of Painters and Allied Trades; and the Finishing Contractors Association.

SECTION XXVIII - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS:

The **(Insert Name of Employer) (Insert Name of Union or Labor Organization)** hereby adopts these Standards of Apprenticeship on this ____ Day of **(Insert Month/Year)**.

Signature of Management

Signature of Labor

Printed Name

Printed Name

Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.