

(Revised)
NATIONAL GUIDELINES
FOR APPRENTICESHIP STANDARDS

DEVELOPED BY

**NATIONAL ELEVATOR INDUSTRY EDUCATIONAL
PROGRAM (NEIEP)**

For

INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS (IUEC)

And

PARTICIPATING EMPLOYERS

Occupation:

ELEVATOR CONSTRUCTOR MECHANIC

O*NET-SOC CODE: 47-4021.00
RAPIDS CODE: 0173

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

**APPROVED AND CERTIFIED BY
THE U.S. DEPARTMENT OF LABOR
OFFICE OF APPRENTICESHIP**

BY: _____ /S/ _____
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OFFICE OF APPRENTICESHIP

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NATIONAL ELEVATOR INDUSTRY EDUCATIONAL PROGRAM MISSION STATEMENT



The National Elevator Industry Educational Program (NEIEP) is a joint labor-management educational trust fund serving the International Union of Elevator Constructors (IUEC) and the National Elevator Industry, Inc. (NEII) employers who employ its members. Some of NEIEP's main responsibilities are to manage and direct the implementation of curricula; design, administer and monitor probationary training and evaluation programs for all new hires entering the trade; administer a home study program for eligible students; and for instructors – conduct initial training through advanced level seminars to improve teaching skills and techniques. The overall mission of NEIEP is to improve the knowledge and skills of apprentices and mechanics not only for their benefit, but also for the benefit of their employer and the industry.

INTRODUCTION

The National Elevator Industry Educational Program (NEIEP) recognizes the need for structured training to maintain the high level of skill and competence demanded in the elevator industry. Registered apprenticeship provides the most practical and sound method to meet that need, to prepare individuals to be skilled journeyworkers, and to ensure industry an adequate supply of skilled workers. In furtherance of those goals, the NEIEP has established these pattern standards of apprenticeship outlining for local committees the terms and conditions for the qualification, recruitment, selection, employment and training of apprentices that should be included in their local apprenticeship standards.

Title 29, Code of Federal Regulations (CFR), part 29, outlines the requirements for registration of acceptable apprenticeship programs for Federal purposes, and sets forth labor standards that safeguard the welfare of apprentices. Such registration may be by the U. S. Department of Labor, Office of Apprenticeship (OA), or by a State Apprenticeship Agency (SAA) recognized by the OA as the appropriate body in that State for approval of local apprenticeship programs for Federal purposes. Title 29, CFR, part 30 sets forth the requirements for equal employment opportunity in apprenticeship to which all registered apprenticeship programs must adhere.

The purpose of these National Guidelines for Apprenticeship Standards (National Guideline Standards) is to provide policy and guidance to local Joint Apprenticeship Committees (JAC) in developing standards for apprenticeship for local approval and registration. The U. S. Department of Labor's, OA certifies these National Guideline Standards developed by the NEIEP, as substantially conforming to the requirements of Title 29, CFR parts 29 and 30. The SAAs recognized by the OA to register local programs, and/or local laws and regulations, may impose additional requirements that must be addressed in the local apprenticeship standards.

Local Standards of Apprenticeship must be developed and registered by each local JAC that undertakes to carry out an apprenticeship training program. The Local Standards of Apprenticeship will be the JAC's written plan outlining all terms and conditions for the recruitment, selection, employment, training, and supervision of apprentices as subscribed to by the JAC, and must meet all the requirements of the Registration Agency.

The establishment of local apprenticeship programs under these National Guideline Standards will provide the sponsor with a skilled and versatile work force at each of its locations by providing apprentices the opportunity to become mechanics through an organized and properly supervised program of training, practical experience and related instruction.

DEVELOPMENT OF LOCAL STANDARDS OF APPRENTICESHIP, AFFIRMATIVE ACTION PLAN AND SELECTION PROCEDURES

The National Elevator Industry, Inc., (NEII) and the International Union of Elevator Constructors (IUEC) have established an Educational Trust Fund administered by a joint board of trustees. The Educational Trust Fund known as the "National Elevator Industry Educational Program" shall provide an apprenticeship program for the education and training of apprentices as well as a continuing education program for Elevator Mechanics. Such a fund has been established pursuant to and in compliance with the provisions of Section 302 of the Labor – Management Relations Act, as amended.

The pattern standards for development of local apprenticeship programs are set forth within these National Guideline Standards. Through coordination with the Director of the NEIEP, local JACs shall prepare and submit for approval to the applicable Registration Agency such documents as may be necessary to secure registration of their apprenticeship program.

The Board of Trustees of the Educational Trust shall have full authority to adopt these National Guideline Standards for all parties signatory to the Collective Bargaining Agreement with IUEC.

Except as otherwise specifically provided for in the National Guideline Standards, any disputes arising out of the application of the provisions of a local program, which are not resolved by the JAC, will be subject to the established grievance procedure. By mutual agreement, the parties may waive the steps of the grievance procedure and refer a grievance directly to arbitration.

Equal employment opportunity is required of every registered apprenticeship program. Such requirements apply to the recruitment, selection, employment, and training of apprentices throughout their apprenticeship.

Those programs with five or more apprentices, or where there is a likelihood of five or more apprentices, must have a written Affirmative Action Plan and Selection Procedures that is approved by the Registration Agency as part of the standards of apprenticeship.

Sample Affirmative Action Plan and Selection Procedures are attached.

Representatives of the Registration Agency are available to assist the local JAC in developing its Standards of Apprenticeship, Affirmative Action Plan and Selection Procedures using the sample provided. Once developed, the Standards of Apprenticeship, as well as the Affirmative Action Plan and Selection Procedures must be submitted to the Registration Agency for approval and registration. Company Affirmative Action Plan's and Selection Procedures (hiring process) may be

considered in lieu of utilizing the samples provided if they meet all of the requirements of Title 29, CFR part 30.

REVISED 2011

SAMPLE

STANDARDS OF APPRENTICESHIP

DEVELOPED BY

(INSERT LOCAL PROGRAM SPONSORS NAME)

FOR THE OCCUPATION OF

ELEVATOR CONSTRUCTOR MECHANIC

O*NET-SOC CODE: 47-4021.00

RAPIDS CODE: 0173

APPROVED BY

(Insert Name of 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 NEIEP National Guideline Apprenticeship Standards have as their objective, the training of Elevator Constructor Mechanics skilled in all phases of the Elevator industry. The JAC recognizes that in order to accomplish this, there must be well-developed OJL combined with related instruction.

Registered Apprenticeship provides the most practical and sound method to meet that need, to prepare individuals to be skilled journeyworkers, and to ensure industry an adequate supply of skilled workers.

In furtherance of those goals, the (Insert Name of Joint Apprenticeship Committee) has established these Standards of Apprenticeship outlining all the terms and conditions for the qualification, recruitment, selection, employment and training of apprentices.

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): The Federal 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 Sponsor setting forth the responsibilities and obligations of all parties to the Apprenticeship Agreement with respect to the Apprentice's employment and training under these Standards. Each Apprenticeship Agreement must be registered 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: The negotiated agreement between the Union and signatory employers that sets forth the terms and conditions of employment.

COORDINATOR/DIRECTOR: Means the person designated by the local JAC to perform the duties stated in the standards of apprenticeship.

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.

JOINT APPRENTICESHIP COMMITTEE (JAC): Joint Apprenticeship Committee (JAC) means those persons designated by the sponsor to act as an agent for the sponsor in the administration of the program. 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 an Elevator Constructor Mechanic, 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.)

NATIONAL ELEVATOR INDUSTRY EDUCATIONAL PROGRAM (NEIEP): The joint trust of the IUEC and the signatory employers who employ its members.

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.

PROGRAM SPONSOR: The Sponsor in whose name the Standards of Apprenticeship will be registered, and which will have 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 apprentices and 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. (**Name of Registration Agency**)

RELATED INSTRUCTION (RI): 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, electronic media, or other forms of study approved by NEIEP and registered and 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): The person or persons designated by the contractor/employer who is responsible for ensuring the integrity of training and record keeping requirements on the job.

TIME-BASED OCCUPATION: The time-based approach measures skill acquisition through the individual apprentice's completion of at least 2,000 hours of OJL as described in a work process schedule. *(If applicable)*

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 International Union of Elevator Constructors (IUEC) and any of its affiliated Local Unions party to an appropriate labor agreement between the parties.

YOUTHBUILD U.S.A.: YouthBuild is a youth and community development program that simultaneously addresses core issues facing low-income communities: housing, education, employment, crime prevention, and leadership development. *(If applicable)*

SECTION I - PROGRAM ADMINISTRATION (SAMPLE)

Program Sponsors establish a Joint Apprenticeship Training Committee (JAC) to carry out the responsibilities and duties required of a Program Sponsor as described in these Standards of Apprenticeship. A list of the membership and the areas of expertise they represent must be provided to the Registration Agency.

Structure of the Joint Apprenticeship Committee (JAC)

The JAC of Local Union _____ of the International Union of Elevator Constructors and the contractors' association or the signatory contractors in whose name the local Standards of Apprenticeship will be registered is the Sponsor of the Apprenticeship Program outlined under these Standards of Apprenticeship. The JAC shall operate within the provisions of the NEIEP Agreement and Declaration of Trust and guidelines as set forth by the U.S. Department of Labor and the NEIEP's Board of Trustees as promulgated through the National Directors Office. The JAC is composed of an equal number of representatives not to exceed a total of eight (8), four (4) appointed by the employer(s) representatives or contractors' association and four (4) appointed by the Local Union. The JAC is composed of an equal number of representatives with a minimum of two (2) representatives from each respective side.

- A. The groups they represent will select members of the JAC.
- B. Membership will be composed of an equal number of representatives not to exceed a total of eight (8), four (4) appointed by employer(s) and four (4) appointed by the Local Union. The members from the Local Union representatives must have attained journeyworker's status in the International Union of Elevator Constructors.
- C. 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 JAC.

Administrative Procedures

- A. The JAC will elect a Chair and a Co-Chair, and will determine the time and place of regular meetings, which will take place once a month, or at a minimum of once every three (3) months.
- B. The Chair and Co-Chair will have the power to vote on all questions affecting apprenticeship.
- C. The Chair and Co-Chair should alternate between the union on even years and employer on odd years.

Responsibilities of the JAC

- A. Members of the JAC will be educated as to the equal employment opportunity in apprenticeship.
- B. Members of the JAC will be educated as to the fiduciary responsibility of the JAC.
- C. Cooperate in the selection of apprentices as outlined in this program.

- D. Ensure that apprentices are under written Apprenticeship Agreements and register the local apprenticeship standards and agreements with the appropriate Registration Agency.
- E. Review and recommend apprenticeship activities in accordance with this program.
- F. Establish the minimum standards of education and experience required of apprentices.
- G. Meet at least once a month or a minimum quarterly to review records and progress of each apprentice in training and recommend improvement or modification in training schedules, schooling and other training activities. Written minutes of the meeting will be kept.
- H. Determine the quality and quantity of experience on the job, which apprentices should have, and to make every effort toward their obtaining it.
- I. Hear and resolve all complaints of violation of Apprenticeship Agreements.
- J. Arrange tests or evaluations for determining the apprentice's progress in manipulative skills and technical knowledge.
- K. Maintain a record of all apprentices, showing their education, experience, and progress in learning the occupation.
- L. Determine the requirements of qualified applicants to perform the work of the occupation that may require a medical examination prior to their employment as apprentices.
- M. Advise apprentices on the need for accident prevention and provide instruction with respect to safety in the workplace.
- N. Certify that apprentices have successfully completed their apprenticeship program.
- O. Notify the appropriate Registration Agency of all new apprentices to be registered, credit granted, suspensions for any reason, reinstatements, extensions, completions, and cancellations with explanation of causes and notice of completions of Apprenticeship Agreements.
- P. Supervise all the provisions of the local standards and be responsible, in general, for the successful operation of the standards by performing the duties here listed by cooperating with public and private agencies which can be of assistance by obtaining publicity to develop public support of apprenticeship and by keeping in constant touch with all parties concerned; apprentices, employers and journeyworkers.
- Q. 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 sex. 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, part 30, as amended (*insert state regulations, if applicable*).

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

If the sponsor has five or more apprentices, the JAC will adopt an Affirmative Action Plan and Selection Procedures as required under Title 29, CFR part 30. It will be attached as *Appendices C & D*.

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

Applicants will meet the following minimum qualifications:

A. Age

The JAC will establish qualifications regarding minimum age limits. Applicants shall submit reliable proof of birth date with the complete application to ensure meeting the minimum age requirement. An applicant who is seventeen (17) years of age at the time of application who otherwise meets all qualifications may be rated and ranked and placed on the Pool of Eligible List. Such an applicant must provide proof that a graduation certificate or GED has been awarded, and must be eighteen (18) years of age, prior to being registered by the JAC. Examples of acceptable proof include a valid driver's license, birth certificate, or other State identification. (*Applicant must provide evidence of minimum age respecting any applicable State Laws or regulations.*)

B. Education

A high school diploma or General Education Development (GED) equivalency approved by the State is required. Applicant must provide an official transcript(s) for high school and post high school education and training. All GED records must be submitted if applicable.

Applicants must submit a DD-214 "copy 4" to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.

C. Physical

Applicants will be physically capable of performing the essential functions of the apprenticeship program, with or without a reasonable accommodation, and without posing a direct threat to the health and safety of the individual or others.

Applicants will pass a screen test for the current illegal use of drugs on acceptance into the program and prior to being employed.

D. Aptitude Test

All applicants shall be given an examination, if one is available, designed to test the applicant's reading and math skills and aptitude for employment in the elevator industry, which shall be scored on a pass fail basis. Applicants may be assessed an examination fee if notice is included in the notification and application periods score of 70% is the minimum passing grade. Applicants not passing the test will not be

interviewed and will be removed from the pool of applicants. Applicants may re-apply at a later recruitment period.

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)

After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the apprentice will be covered by a written Apprenticeship Agreement (*Appendix B*) signed by the JAC and the apprentice and approved by and registered with the Registration Agency. 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 JAC, the Registration Agency, and the employer and the Union. An additional copy will be provided to the Veteran's State Approving Agency for those veteran apprentices desiring access to any benefits to which they are entitled.

Prior to signing the Apprenticeship Agreement, each selected applicant will be given an opportunity to read and review these Standards, the JAC's written rules and policies and 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 one (1) apprentice to one (1) journeyworker.

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

The term of the occupation will be four (4) years with an (OJL) attainment of 6,800 hours supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (*Appendix A*). Full credit will be given for the probationary period.

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

The probationary period cannot exceed twenty-five (25) percent of the length of the program, or one-year (1), whichever is shorter. All newly hired apprentices without previous mechanical experience shall be classified as a probationary employee in the status of an apprentice for a period or periods totaling six (6) months/within the aggregate period of not more than nine (9) months, which include OJL and related instruction.

During the probationary period the apprenticeship agreement may be canceled at the written request of the apprentice or by the JAC without stated cause. The records for each probationary apprentice will be reviewed 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.

Probationary apprentices shall advance from the fifty (50) percent wage rate to the first-year apprentice wage rate upon completion of six (6) months in the elevator industry provided such probationary apprentices have worked a minimum of one-hundred (100) hours in each thirty-day (30) period during the six (6) months.

Apprentices may complete their probationary period with more than one employer provided such employer has a labor contract with the IUEC, and the period of six (6) months probation may cover an aggregate period of not more than nine (9) months. A month shall be deemed worked when the probationary apprentice completes one hundred (100) hours in any thirty (30) day period.

Any probationary apprentice evaluated as satisfactory after a review of the probationary period will be given full credit for the probationary period and continue in the program.

After the probationary period the Apprenticeship Agreement may be canceled at the written request of the apprentice, or may be suspended or canceled by the JAC for reasonable cause after documented due notice to the apprentice and a reasonable opportunity for corrective action. In such cases, the JAC 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 if it interferes with attendance in related instruction (RI) 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 is accrued. No apprentice shall be elevated to Journeyworker until achieving a minimum of 6,800 hours, minimum of 576 hours of RI and successful completion of the Elevator Constructors Mechanic Exam (Mechanic Exam).

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

Apprentices will be paid a progressively increasing schedule of wages and fringe benefits 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 JAC will evaluate all progress to determine whether advancement has been earned by satisfactory performance in their OJL and a minimum of 1700 hours and in related instruction courses. In determining whether satisfactory progress has been made, the JAC will be guided by the work experience and related instruction records and reports.

The apprentice shall receive the full amount of all cost of living increases or bonuses that are negotiated through the collective bargaining agreement. When an apprentice completes the required hours of training and all of the required related instruction, the apprentice, upon recommendation of the JAC, shall be permitted to sit for the Mechanic's Examination. Upon successful completion of the Mechanic's Examination, the apprentice shall be classified as a mechanic and shall receive not less than the rate paid to a mechanic. Apprentices that do not successfully complete the Mechanic's Examination or who fail to sit for the Mechanic's Examination when they are required to do so shall be classified as fourth-year apprentices and required to repeat related instruction classes as required by the JAC. Apprentices that do not successfully complete the Mechanic's Examination or fail to sit for the Mechanic's Examination when they are required to do so shall be subject to the guidelines contained in the operative Collective Bargaining Agreement.

The progressive wage schedule and fringe benefits will be an increasing percentage of the journeyworker's 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 JAC may grant credit towards the term of apprenticeship to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to that which would be received under these Standards. Credit for previous experience and/or education may be granted to the time required on any phase of the apprenticeship training or related training schedule up to a maximum of two (2) years.

Apprentice applicants seeking credit for previous experience should be directly related to the Elevator Industry. This experience gained outside of the supervision of the JAC must be submitted at the time of application and furnish such records, affidavits, and other official certificates of completion to substantiate the claim. Applicants requesting such credit who are selected into the apprenticeship program will start at the beginning wage rate. The request for credit will be evaluated and a determination made by the JAC 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 would be advanced to the wage rate designated for the period to which such credit accrues. The Registration Agency will be advised of any credit granted and the wage rate to which the apprentice is advanced.

The granting of advanced standing will be uniformly applied to all apprentices.

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

During the apprenticeship the apprentice will receive such work experience and related instruction in all phases of the occupation necessary to develop the skill and proficiency of a skilled journeyworker. The work experience will be tracked in a written or electronic format. The work experience will be under the direction and guidance of the journeyworker and/or supervisor of the apprentice(s).

If a signatory employer is unable to fulfill its training obligations due to lack of work or failure to conform to the Standards of Apprenticeship, the JAC has an obligation to move the affected apprentice(s) to other signatory employers. An apprentice suspended for up to two years must be re-evaluated by the JAC.

The JAC may transfer an apprentice from one employer to another to provide continuous employment and to assure more complete OJL experience in all aspects of the occupation trade.

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

The purpose of related instruction is to teach apprentices those applied academics in subject areas critical to job performance, but not adequately or effectively taught on the job. It will be up to the local JAC to establish the subject matter and hours that will be taught, the method and institution by which it will be provided for each occupation being registered. The Related Instruction Outline provides required courses and hours to satisfy the necessary competencies for each occupation. To the extent possible, related instruction shall be closely correlated with the practical experience and training received on the job. The JAC will inform each apprentice of the availability of college credit. NEIEP will secure competent instructors whose knowledge, experience, and ability to teach will be carefully examined and monitored. The JAC will require the instructors to work toward attainment of a NEIEP Certification of Instructor for the Elevator Industry. All instructors should work toward the attainment of completion of the NEIEP Certification of Instructors of Journeyworkers and Apprentices in the Elevator Industry and therefore should seek continuing education. All NEIEP student instructors must complete the following courses to earn this instructor certificate. This is in accordance with Title 29, CFR part 29.5(b)(4)(ii). All instructors will be employed by NEIEP.

Requirements for the Instructor Training Program:

NEIEP Instructor Training

- NEIEP is not only committed to Training students, but the NEIEP Board of Trustees firmly believes that an educational program is only as good as its instructors
- NEIEP continues to provide top quality training for our instructors

Instructor Orientation

- For novice instructors to become comfortable and familiar with the tools and skills
- For veteran instructors who are looking for a refresher
- Multi-section course covers the basics of the program expectations for both students and instructors
- Provides an introduction to the NEIEP website
- Details the many resources available via the Instructor Support Material area of the site
- Features a guide to setting up the computer hardware (laptop & projector) in the classroom
- Previews the functionality and benefits Microsoft PowerPoint, Adobe Acrobat and NEIEP's custom virtual lab software

Basic Train-the-Trainer Course (16 hours +)

- The Basic Train-the-Trainer Course (BTTC) provides new NEIEP instructors with the basics of classroom management and adult education theory. The course offers tips and models for effective lesson planning and presentation. Steps in lesson planning include identifying student needs, setting clear objectives, studying the students and the classroom environment, developing strategies to involve students, designing instruction, using adult learning theory, and evaluating the class in terms of how well the objectives have been met.
- The BTTC seminars, held during six different course sessions in the fall. The program has become a favorite of NEIEP Instructors, allowing individuals from different parts of the country to get to know one another, sharing their experiences, successes, and frustrations that inevitably occur in the classroom. The BTTC seminar serves as a great example of effective presentation; the leaders model how to use questions to avoid lecturing for the full class time and to let the students do a lot of interaction (and learning), and also how to integrate

visuals with PowerPoint and other forms of media to aid in students' comprehension of the topics. A presentation is required at the end of class by each instructor using two forms of media.

Advanced Train-the-Trainer Course (16 hours)

- The Advanced Train-the-Trainer Course (ATTC) joins the BTTC to create a comprehensive instructor training series for NEIEP. This advanced course is designed to be highly interactive, using the experiences and problems faced by veteran instructors to drive the instruction and discussion. The advanced course is continuously updated to harmonize with the basic course as more advanced seminars are held. The ATTC courses are held in the fall and the spring.
- The course focuses on the issues that surface for our experienced instructors: assisting students with learning problems; technology, computer, and advance PowerPoint® issues (inserting videos and other technologies for the students); motivating students and creating exercises; adult learning, teambuilding, and more.

Instructor Professional Development (IPD) Course

- Offers deeper perspectives and opportunities to learn
- Brings together ATTC participants to continue the discussion.
- Provides not a narrowing of perspectives, but a broadening of the knowledge base as experiences are shared and compared relative to teaching issues.
- Instructors who have attended the ATTC Course are eligible for enrollment.

Technical Training Workshops

- The DC Motor Lab Workshop prepares instructors to facilitate lab work in their courses. This hands-on workshop provides an opportunity for instructors to set-up and run the experiments in a comfortable environment. Outcomes, challenges and classroom presentation using the lab are explored.
- The Solid State Workshop offers NEIEP instructors the chance to become more proficient and prepared for their classroom work. The solid state workshop covers the basics and beyond of the lab used in the curriculum. The set-up and application of equipment such as the oscilloscope, frequency generator, digital bench meter, and power supply are integrated into actual execution of experiments using the lab's basic and advanced components.

- The Hydraulic Controller Lab, also a part of the curriculum, requires extensive training and familiarity on the part of our instructors. The workshop leaders demonstrate instructional techniques unique to this lab. Instructors work through the experiments using the five-step troubleshooting method, recording their progress as their students will do back in the classroom. This workshop provides instructors with experience using the lab so they can explain and interpret the outcomes of their students' findings.

Sample Language - During each segment of training each apprentice is required to participate in coursework related to the job as outlined in *Appendix A*. Hours of related instruction shall be no less than 144 hours per segment with a minimum of 576 hours for the full term of apprenticeship. Apprentices (*JAC inserts "will" or "will not"*) be paid for hours spent attending related instruction classes. Upon completion of a four-year apprenticeship program the apprentices will receive 52 credits toward their Associate Degree from Ivy Tech Community College.

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

The local JAC shall be responsible for the apprentice's progress in related instruction classes.

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.

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 JAC will be responsible for the training of the apprentice on the job. Apprentices will be under the general supervision of the JAC 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, ensuring the

apprentice is working under the supervision of a skilled journeyworker, evaluation of work performance, and completion and submittal of progress reports to the JAC.

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 is 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 NEIEP to the JAC. 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 JAC. This record will be included in each apprentice's record file maintained by the JAC.

Before each period of advancement, or at any other time when conditions warrant, the JAC 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 JAC 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 JAC 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 JAC will, after the apprentice has been given adequate assistance and opportunity for corrective action, cancel the Apprenticeship Agreement.

SECTION XVIII - MAINTENANCE OF RECORDS - - Title 29 CFR 29.5(b)(23) and 30.8(e)

The JAC 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, rate of pay, or other forms of compensation, hours of work and training, evaluations, and other relevant data. The records will permit identification of minority and female (minority and non-minority) participants. These records will be made available on request to the Registration Agency.

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

Certificate of Completion – Upon satisfactory completion of the requirements of the apprenticeship program as established in these Standards, the JAC 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). Those requirements include:

1. OJL minimum of 1700 hours per year for a total of 6,800 hours
2. RI to include a minimum of 576 hours
3. Successful completion of the Mechanic's Examination

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) and 29.8(a)(2)

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

(INSERT NAME OF JAC) reserves the right to discontinue at any time the apprenticeship program set forth herein. The Registration Agency 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 JAC 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 JAC will notify each apprentice of the cancellation and the effect of same. This notification will conform to the requirements of Title 29, CFR part 29.8.

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

Any amendments or modifications to these standards must be approved by NEIEP. These Standards may be amended or modified at any time by the JAC 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 Registration Agency for approval and registration prior to being placed in effect. 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), 29.7(k) and 30.11**

Any amendments or modifications to these standards must be approved by NEIEP. The JAC will have full authority to supervise the enforcement of these Standards. Its decision will be final and binding on the employer, the sponsor, and the apprentice, unless otherwise noted hereto. In the event of a dead lock or impasse the JAC will defer the matter to the NEIEP Director or his designee.

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 Articles of the CBA.

The JAC will hear and resolve all complaints of violations concerning the Apprenticeship Agreement and the registered Apprenticeship Standards, for which written notification is received within forty-five (45) days of violations. The JAC will make such rulings, as it deems necessary in each individual case and within ninety (90) 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 these Standards over which differences occur. The name and address of the appropriate authority to receive, process and make disposition of complaints is: **(The JAC should insert applicable information here.)**

Title 29 CFR 30.11

Any apprentice or applicant for apprenticeship who believes that 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 an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the Program Sponsor (*if applicable*).

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 eighty (180) days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and in the 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 JAC 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:

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

If the JAC is unable to fulfill its training obligation due to lack of work or failure to conform to these Standards the JAC will make every effort to refer the apprentice with his/her consent to another program sponsor, 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 their apprenticeship program. The JAC will also make available to the apprentice and the receiving program sponsor the apprentice's training record. The apprentice must receive credit from the new program sponsor for the training already satisfactorily completed. Should severe economic conditions prevent the JAC from ensuring the continuity of its training obligation, the JAC may suspend the agreement with the apprentice for a maximum of two years without penalty to the apprentice.

SECTION XXVI - RESPONSIBILITIES OF THE APPRENTICE

Apprentices, having read these Standards formulated by the JAC and signed an Apprenticeship Agreement with the JAC agree to all the terms and conditions contained therein and agree to abide by the JAC's rules and policies, including any amendments, serve such time, perform such manual training, and study such subjects as the JAC may deem necessary to become a skilled Elevator Constructor Mechanic.

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

- A. Perform diligently and faithfully the work of the occupation and other pertinent duties assigned by the JAC and the employer in accordance with the provisions of these Standards.
- B. Attend and satisfactorily complete the required hours in the OJL and in related instruction in subjects related to the occupation as provided under these Standards.
- C. 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.
- D. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of fellow workers.
- E. 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 JAC.
- F. Adhere to any other such policies or procedures established by the JAC or NEIEP.

SECTION XXVII - DISCIPLINARY ACTION

Explanation

Each local JAC must have the authority to establish disciplinary procedures to ensure that apprentices and employers are maintaining the integrity of the training program and following the terms and conditions of the apprenticeship standards. The JAC must ensure that there is fairness and equity in the treatment of apprentices and employers.

Disciplinary action must be uniformly administered in accordance with the policy established in the National Elevator Industry Educational Program Standard Operating Procedures manual.

Records of all disciplinary actions shall be maintained by the JAC and NEIEP. The Registration Agency shall be notified whenever a disciplinary action results in the cancellation of an Apprenticeship Agreement.

SECTION XXVIII - 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 JAC.

The JAC 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.

SECTION XXIX - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS:

The (INSERT EMPLOYERS NAMES OR EMPLOYER GROUP NAME OR ASSOCIATION) (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

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.