

# STANDARDS OF APPRENTICESHIP

DEVELOPED BY

SOUTHERN NEVADA OPERATING  
AND MAINTENANCE  
ENGINEERS JATC

FOR

THE OCCUPATION OF:

STATIONARY ENGINEER

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IN COOPERATION WITH:

UNITED STATES DEPARTMENT OF LABOR  
OFFICE OF APPRENTICESHIP

REGISTERED WITH:

NEVADA STATE APPRENTICESHIP COUNCIL

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## FOREWORD

Experience has demonstrated that planned apprenticeship training provides a practical and sound method of preparing for skilled craftsmanship through provision of employment and training under actual job conditions supervised by skilled Journeyworkers for compensation commensurate with the Apprentice's skills. In addition, the Apprentice's knowledge and understanding of the trade is broadened through participation in approved courses of related instruction.

The Southern Nevada Operating and Maintenance Engineers Joint Apprenticeship and Training Trust Fund ("Trust") and its Joint Apprenticeship and Training Committee ("Local JATC") have established these Standards of Apprenticeship ("Standards") outlining the terms and conditions for qualification, recruitment, selection, employment and training of Apprentices in the occupation(s) listed in these Standards.

## DEFINITIONS

Apprentice: Any individual employed by a participating Employer, as described in the Standards, who has signed an Apprenticeship Agreement with the Local JATC providing for training and related instruction under the Standards, and who is registered with the Registration Agency.

Apprenticeship Agreement: The written agreement between the Apprentice and the Local JATC, setting forth the responsibilities and obligations of all parties to the Apprenticeship Agreement with respect to the Apprentice's employment opportunities and training under the Standards. Each Apprenticeship Agreement must be registered with the Registration Agency.

Certificate of Completion: The Certificate of Completion issued by the Registration Agency to those registered Apprentices certified and documented as having successfully completed the Apprentice training requirements outlined in the Standards.

Collective Bargaining Agreement: An agreement between a participating Employer and the Union, or a group of employees, defining the terms and conditions of their employment.

Dictionary of Occupational Titles (DOT): Provides (through O\*NET) comprehensive occupational and data base information, including job definitions, detailed skills, knowledge and tasks to be performed by a Stationary Engineer and a range of time to prepare for average performance in the occupation. The last update to the DOT was completed in 1991. Much of the DOT data was developed over decades of experience, evaluation and collection, but does not reflect all of the needs of today's labor market. The most recently developed DOT information is published through the Occupational Information Network (O\*NET), a report updated quarterly each year (February 2019-next scheduled O\*NET update), now commonly referred to as O\*NET.

Disability: A physical or mental impairment that substantially limits one or more major life activities of an individual; a record of such impairment; or being regarded as having such an impairment.

Effective Date: The date whereon these Standards and Attachments are effective, which is \_\_\_\_\_.

Employer: Any participating person or organization employing an Apprentice and bound to a Collective Bargaining Agreement with the Union and the Trust, approved by the Sponsor of these Standards.

Ethnicity: Ethnicity refers to the following designations: (1) Hispanic or Latino—a person of Cuban, Mexican, Puerto Rican, Dominican, South or Central American, or other Spanish culture or origin, regardless of race; or (2) not Hispanic or Latino.

Gender Identity or Expression: A gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.

Genetic Information: Information about (i) an individual's genetic tests; (ii) the genetic tests of that individual's family members; (iii) the manifestation of disease or disorder in family members of the individual (family medical history); (iv) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (v) the genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology. Genetic information does not include information about the sex or age of the individual, the sex or age of family members or information about the race or ethnicity of the individual or family members that is not derived from a genetic test.

Joint Apprenticeship and Training Committee (Local JATC): The Local JATC is comprised of an equal number of representatives appointed by the Union and by the Employers, in whose name these Standards will be registered.

Journeyworker: An individual who has documented sufficient skills and knowledge of a trade, craft or occupation, either through formal apprenticeship or practical on-the-job training ("OJT") experience and formal instruction. A Journeyworker is recognized by an Employer as being fully qualified to perform the work of the trade, craft or occupation.

Major Life Activities: Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

O\*NET-SOC CODE: The Occupational Information Network (O\*NET) codes and titles are based on the 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, which replaced the DOT, uses an 8-digit O\*NET-SOC code. Use of the SOC classification as a basis for the O\*NET code 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.

Physical or Mental Impairment: Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine, or any mental or psychological disorder, such as intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness and specific learning disabilities.

Protected Bases: Categories for non-discrimination, including race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin.

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

Sexual orientation: Having or being perceived as having an orientation for heterosexuality, homosexuality or bisexuality.

Program Sponsor (Sponsor): The Local JATC (through the Trust, Union and participating Employers) in whose name these Standards will be registered. The Sponsor shall have the full responsibility for administration and operation of the apprenticeship program.

Registration Agency: Shall mean the Nevada State Apprenticeship Council (through the Office of the Labor Commissioner).

Standards of Apprenticeship (Standards): This entire document, including all appendices and attachments hereto, and any future modifications or amendment approved by the Registration Agency.

Union: The International Union of Operating Engineers, Local 501, AFL-CIO.

## SECTION I - Joint Apprenticeship and Training Committee

- a. Organization: A Joint Apprenticeship and Training Committee (the Local JATC) shall establish and administer the apprenticeship program in accordance with the terms and conditions provided for in these Standards.
- b. Composition: The Local JATC shall be composed of not less than six (6) members, one-half (1/2) of whom shall be selected by the Union and one-half (1/2) of whom shall be selected by participating, signatory Employer representatives or associations.
- c. Procedures:
  - 1. The Local JATC shall elect from its members a Chairperson and a Secretary/Treasurer, who shall retain the right of vote on all matters. When the Chairperson is an Employer representative, the Secretary/Treasurer shall be a Union representative and vice versa.
  - 2. A quorum at meetings of the Local JATC shall consist of at least two (2) members representing the Employers and two (2) members representing the Union.
  - 3. The Local JATC shall schedule regular meetings and shall establish the customary time and place of such meetings. Special meetings may be called when deemed necessary.
  - 4. The Local JATC shall establish such other rules and regulations deemed necessary for governing the administration of this program, which shall be submitted to the Sponsor organizations when affecting Collective Bargaining Agreements.
  - 5. The Local JATC Chairperson shall be charged with establishing a regular order of business and with conducting meetings in a businesslike manner. The Chairperson may also name regular or special sub-committees to handle particular assignments.
  - 6. The Local JATC Secretary/Treasurer, or his designee, shall be responsible for keeping minutes of all meetings, Apprentice files, the registration of Apprenticeship Agreements and all other records and reports of the Local JATC.
  - 7. The name, address, identification number, veteran or non-veteran status of all Apprentices and all Apprentice cancellations, terminations, suspensions and completions shall be reported to the Registration Agency.

## SECTION II - Program Administration

The Local JATC shall be responsible for:

- a. Establishing and registering these Standards with the Registration Agency and ensuring adherence to the Standards by Apprentices and Employers.

- b. Establishing and maintaining rules and regulations governing the policies, administration, supervision and training of Apprentices. The rules and regulations shall be in conformity with the Collective Bargaining Agreements, Trust Agreement and these Standards. A copy of the Standards and all such rules and regulations, and any changes thereto, shall be provided to the Registration Agency and the Apprentices.
- c. Determining the need and procedure for indenturing new Apprentices, including when apprenticeship openings will be available and selecting Apprentices in accordance with the Qualifications and Selection Procedures (Attachment C) made a part of the Standards.
- d. Initiating and signing all Apprenticeship Agreements for Apprentices and forwarding them to the Registration Agency for approval and registration. The Local JATC will notify the Registration Agency and other appropriate parties of the cancellation, suspension, extension, reinstatement or completion of Apprentices.
- e. Arranging for Apprentices to obtain the required OJT and related instruction that will provide them with the diversity of training delineated in the Work Processes and Related Instruction Outline (Attachment C).
- f. Monitoring and evaluating Apprentice progress, including the review of Apprentice records to insure each Apprentice is fulfilling his responsibilities under the program. The Local JATC will review, approve and document all Apprentice actions, including hours, content and progress of OJT and related instruction, step progressions (upgrades), disciplinary actions, evaluations, corrective action plans, successful completions, certifications, cancellations and any other performance or attendance-related issues (including habitual tardiness or absences from OJT or related instruction).
- g. Hearing and resolving complaints regarding Apprenticeship Agreement violations and other matters within the jurisdiction of the Local JATC.
- h. Certifying the Apprentice has completed the required OJT and related instruction (including such certifications as may be required by any city, county, state or local governmental agency) and submitting the certification to the Registration Agency with a request for issuance of a Certificate of Completion.
- i. Annually reviewing the Affirmative Action Plan (Attachment B), good faith efforts, Qualifications and Selection Procedures (Attachment C), updating the Affirmative Action Plan, goals and timetables, and modifying the Affirmative Action Plan, Qualifications and Selection Procedures as a result of any compliance review, when appropriate. Such reviews shall include an analysis of the Local JATC's success in meeting its goals, good faith efforts made and the impact of material elements of the Affirmative Action Plan, Qualifications and Selection Procedures on reaching Plan goals.
- j. Maintaining all records relating to the recruitment, selection, employment and training of Apprentices for a minimum of five (5) years from the last date of action related to each Apprentice.



- k. Transferring Apprentices at any time to another participating Employer to provide training diversification or a fresh start, or to fulfill the Local JATC's training obligations under the Apprenticeship Agreement.
- l. Ensuring that Apprentices receive the following "EEO Notice" of rights during the application process and when making a harassment or discrimination claim and ensuring that the EEO Notice is published in appropriate publications, policy manuals and newsletters and posted on bulletin boards, including through electronic media:

#### Your Right to Equal Opportunity

It is against the law for a sponsor of an apprenticeship program registered for Federal purposes to discriminate against an apprenticeship applicant or apprentice based on race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. The sponsor must ensure equal opportunity with regard to all terms, conditions, and privileges associated with apprenticeship. If you think that you have been subjected to discrimination, you may file a complaint within 300 days from the date of the alleged discrimination or failure to follow the equal opportunity standards with the Nevada State Apprenticeship Council, Office of the Labor Commissioner, 3340 W Sahara Ave, Las Vegas NV 89102, (702) 486-2650, email: [NevadaSAC@labor.nv.gov](mailto:NevadaSAC@labor.nv.gov). You may also be able to file complaints directly with the EEOC, or State fair employment practices agency. If those offices have jurisdiction over the sponsor/employer, their contact information is listed below. [EEOC: tel. (702) 553-4470, TTY (800) 669-4000, website: [www.eeoc.gov](http://www.eeoc.gov), address: 333 Las Vegas Blvd. South, Suite 5560, Las Vegas, NV 89101; NERC: tel. (702) 486-7161, website: <https://detr.nv.gov/NERC>, address: 1820 East Sahara Avenue Suite 314 Las Vegas, NV 89104]

Each complaint filed must be made in writing and include the following information:

1. Complainant's name, address and telephone number, or other means for contacting the complainant;
2. The identity of the respondent (i.e. the name, address, and telephone number of the individual or entity that the complainant alleges is responsible for the discrimination);
3. A short description of the events that the complainant believes were discriminatory, including but not limited to when the events took place, what occurred, and why the complainant believes the actions were discriminatory (for example, because of his/her race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin);
4. The complainant's signature or the signature of the complainant's authorized representative.

- m. Promptly investigating complaints made by Apprentices regarding discrimination or harassment. The investigation may be done by the Local JATC EEO Officer, a supervisor or the Trustees, as may be appropriate. Investigative committees involving Trustees must utilize an equal number of Management and Labor Trustees. Investigative findings must be placed in appropriate personnel files. The Local JATC Training Director shall be the EEO Officer, unless otherwise designated by the Trustees.
- n. Providing yearly live in-person anti-harassment training to all individuals connected with the administration and operation of the Local JATC, including Apprentices, which shall include: 1. a statement that harassing conduct will not be tolerated; 2. a definition of harassment and types of conduct that constitute unlawful behavior; and 3. information regarding how to file a complaint alleging harassment. Examples of harassment may be added to these Standards, as issued by the DOL. All apprenticeship facilities and activities shall be made available for participation without regard to any of the Protected Bases and the Local JATC will establish and implement procedures for handling and resolving complaints as stated in these Standards.

### SECTION III - Equal Opportunity Pledge

The Local JATC will not discriminate against apprenticeship applicants or Apprentices during recruitment, selection, employment and training of apprentices or during apprenticeship based on race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. The Local JATC will take affirmative action to provide equal opportunity in apprenticeship and will conduct, operate and administer the apprenticeship program as required under Title 29 of the Code of Federal Regulations, Part 30 and all Regulations governing equal employment opportunity in the State of Nevada, including uniformly applying such to equality of wages, periodic advancement, promotion, assignment of work, the performance of a job, rotation among different types of work involved in the trade, imposition of penalties or other disciplinary action, and other administrative aspects of the program of apprenticeship.

### SECTION IV - Affirmative Action Plan

Whenever the participating Employers have employed five (5) or more Apprentices, the Local JATC shall ensure that it has adopted and is utilizing an Affirmative Action Plan, Qualifications and Selection Procedures, as required under Title 29 CFR Part 30 (Attachments B and C).

As part of its Affirmative Action Plan, the Local JATC shall use its best efforts to implement the following procedures on and after the Effective Date:

- Designate an individual (or individuals) to be responsible for overseeing the Local JATC's commitment to Equal Opportunity, which shall be the Local JATC Training Director and any other person that the Local JATC designates;
- Distribute the Local JATC's Equal Employment Opportunity Pledge internally, as well as to Apprentices and applicants during orientation and information sessions;

- Engage in outreach and recruitment efforts including providing notice about apprenticeship openings to community-based organizations, schools and other groups designed to extend to all persons available for apprenticeship without regard to race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin; and
- Maintain an apprenticeship program free from harassment, intimidation and retaliation, which includes anti-harassment training and maintenance of procedures for handling and resolving complaints.

## SECTION V - Qualifications for Apprenticeship

Applicants shall meet the following minimum qualifications:

### a. Age

Apprentices must be not less than eighteen (18) years of age.

### b. Education

A high school diploma or a High School Equivalency (HSE or GED), is required to apply to the apprenticeship program (either is acceptable).

An applicant who is seventeen (17) years of age and is participating in a school-to-work program or its equivalent, and who otherwise meets all program qualifications, may be rated, ranked and placed on the list of eligible applicants. Any such applicant must be eighteen (18) years of age prior to being accepted into the apprenticeship program.

An applicant must submit a copy of a DD Form 214 (Discharge and Separation Report) to verify military training and or experience, if the applicant is a veteran and wishes to receive credit for such training experience.

### c. Physical

Shall be physically capable of performing the essential functions of the apprenticeship program without posing a direct threat to the health or safety of the apprentice or others, with reasonable accommodations.

Otherwise qualified applicants may be subject to a physical examination, drug screening (by the Employer) or both upon preliminary acceptance into the program and prior to being indentured and/or employed. A failed drug screen may constitute a reasonable basis for cancellation of the Apprenticeship Agreement or for the Local JATC's denial of an applicant's indenture into the program. The cost of the examination and/or drug screening shall be the responsibility of the Local JATC or the Employer, whichever makes the request.

## SECTION VI - Apprenticeship Agreement

After an applicant for apprenticeship has been selected, but before employment as an Apprentice or enrollment in related instruction, the Apprentice shall enter into and be covered by a written Apprenticeship Agreement signed by the Local JATC and the

Apprentice, approved by and registered with the Registration Agency. The Apprenticeship Agreement shall contain a statement making the terms and conditions of these Standards a part of the Apprenticeship Agreement, as though expressly written therein. A copy of each Apprenticeship Agreement shall be furnished to the Apprentice, the Local JATC, the Registration Agency and may be provided to a participating Employer, the Union or a Veterans Agency (if applicable).

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

The Registration Agency will be advised promptly of the execution of each Apprenticeship Agreement and will be given all information required for registering the Apprentice.

#### SECTION VII - Selection of Apprentices

Selection of Apprentices into the apprenticeship program shall be in accordance with the Qualifications and Selection Procedures made a part of these Standards (Attachment C).

#### SECTION VIII - Term of Apprenticeship

The term of apprenticeship training for the occupation shall be four (4) years (and approximately 8,000 hours of OJT) and the required annual minimum of 144 hours (72 hours per semester) of related technical instruction. The term of apprenticeship may be increased by the Local JATC upon approval by the Registration Agency. For good cause the Local JATC shall have discretion to extend the training of an Apprentice for a period not to exceed two (2) years.

#### SECTION IX - Apprentice Wage Progression

Apprentices shall be paid a progressively increasing schedule of wages during their apprenticeship based on the acquisition of increased skills and competence on the job and in related instruction. Before an Apprentice is advanced to the next segment of training (upgrade) or to Journeyworker status, the Local JATC shall evaluate all progress to determine whether advancement has been earned by satisfactory OJT and related instruction. In determining whether satisfactory progress has been made, the Local JATC shall be guided by the work experience and related instruction records, Employer evaluations and other reports.

The progressive wage schedule shall be an increasing percentage of the Journeyworker wage rate established by the applicable Collective Bargaining Agreements. The percentages that will be applied to the applicable Journeyworker rate are shown on the attached Work Processes and

Related Instruction Outlines (Attachment 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 X - Hours of Work

Apprentices shall generally work the same hours as Journeyworkers, except that no Apprentice shall be allowed to work overtime if it interferes with attendance at related instruction classes. In the case of an emergency, an Apprentice is expected to assist in resolving the emergency situation, even if such assistance may prohibit attendance in related instruction.

## SECTION XI - Ratio of Apprentices to Journeyworkers

Consistent with proper supervision, training, safety and continuity of employment throughout the apprenticeship, the ratio of Apprentices to Journeyworkers is established by the applicable Collective Bargaining Agreements or as agreed to by the Local JATC; but shall not be more than one (1) Apprentice for every ten (10) Journeyworkers. This ratio should, however, provide the number of Stationary Engineers necessary for the future needs of the Employer, subject to applicable law.

## SECTION XII - Related Instruction

- a. The Local JATC shall annually schedule courses of instruction in subjects related to the trade and each Apprentice shall be required to enroll in and attend all sessions scheduled during each year of apprenticeship. Not less than 144 hours of such instruction shall be scheduled each year (72 hours per semester).
- b. Failure of an Apprentice to fulfill obligations for related instruction, attendance and progress shall constitute just cause for disciplinary action by the Local JATC. Therefore, if an Apprentice is unable to attend sessions due to illness or other just cause, the Apprentice should obtain a formal excuse from the Local JATC or its designated representative.
- c. Hours spent in related instruction shall not be counted as OJT.

## SECTION XIII - Work Experience

During the apprenticeship, the Apprentice shall receive such OJT and related instruction in all phases of the occupation necessary to develop the skill and proficiency of a qualified Journeyworker. OJT shall be under the direction and guidance of qualified Journeyworkers (see Work Processes and Related Instruction Outlines, Attachment A).

## SECTION XIV - Probationary Period

All applicants selected for apprenticeship shall serve a probationary period of five hundred (500) hours of OJT.

During the probationary period, either the Apprentice or the Local 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 prior to the end of the probationary period. Records shall consist of periodic reports regarding progress made in both OJT and related instruction, and any Apprentice disciplinary action taken during the probationary period.

The Apprenticeship Agreement of a probationary Apprentice, whose progress is determined by the Local JATC to be unsatisfactory during the probationary period, shall be canceled before expiration of the probationary period by means of written notice to the Apprentice and to the Registration Agency.

Any probationary Apprentice evaluated as satisfactory after review of the probationary period shall 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 request of the Apprentice, or may be suspended or canceled by the Local JATC for reasonable cause after documented due notice to the Apprentice and reasonable opportunity for corrective action. In such cases, the Local JATC will provide written notice to the Apprentice and to the Registration Agency of final action taken. A cancelled Apprentice will be advised of his appeal rights to the Registration Agency.

#### SECTION XV - Credit for Previous Experience

The Local JATC may grant credit toward the term of apprenticeship to new Apprentices who demonstrate prior acquisition of skills or knowledge equivalent to that which would be provided pursuant to these Standards.

Apprentice applicants seeking credit for previous experience gained outside the supervision of the Local JATC must submit the request at the time of application and furnish such records, affidavits and demonstrate equipment skill level or mechanical skills during the probationary period to substantiate the claim for credit. An Apprentice granted credit shall be advanced to the wage rate designated for the period to which any such credit accrues. An Apprentice shall not be granted credit in excess of fifty percent (50%) of the entire program.

The granting of experience credit and advanced standing shall be uniformly applied to all Apprentices.

#### SECTION XVI - Supervision of Apprentices

The Employer shall be responsible for training Apprentices on the job. The supervisor of the Apprentice(s) designated by the Employer shall, with the advice and assistance of the Local JATC, be responsible for the Apprentice's work assignments and ensuring the Apprentice is working under the supervision of a skilled Journeyworker.

The Local JATC, its Training Director or designee shall send participating Employers quarterly reports for the assessment of Apprentice performance, which must be completed and returned to the Local JATC. The Training Director will evaluate the quarterly reports to confirm acceptable Apprentice work performance and said reports shall be filed with the Local JATC.

#### SECTION XVII - Safety and Health Training

All Apprentices shall receive instruction by qualified trainers in all work processes, including safe and healthful work practices in both OJT and related instruction. They shall be taught that accident prevention is largely a matter of education, vigilance and cooperation.

Apprentices should strive at all times to conduct themselves in their work in such manner as to ensure their own safety and that of their fellow workers.

The Employer and Local JATC will provide adequate and safe equipment and facilities for training and supervision. Safety training shall also be provided for Apprentices on-the-job and in related training in compliance with either the Occupational Safety and Health Standards promulgated by the Secretary of Labor and Public Law 91-596, dated December 29, 1970, as amended, or State Standards that have been found to be at least as effective as the Federal Standards.

#### SECTION XVIII - Transfer of Training Obligation

The Local JATC may transfer an Apprentice from one Employer to another (or to a similar apprenticeship program) to provide continuous employment and to assure the Apprentice completes OJT experience in all aspects of the trade.

If an Employer is unable to fulfill its training obligations due to lack of work or failure to conform to the Standards of apprenticeship, the Local JATC may move the affected Apprentices to other participating Employers, if possible.

#### SECTION XIX - Responsibilities of the Apprentice

- a. Apprentices, having read the Standards and signed an Apprenticeship Agreement with the Local JATC, agree to the terms and conditions contained herein and to abide by the Local JATC rules and regulations, including any amendments, required attendance, performance, manual training and study subjects as the Local JATC may deem necessary to become a skilled Stationary Engineer.
- b. As an equal opportunity employer, the Local JATC is firmly committed to providing a respectful work environment where discrimination, harassment or intimidation associated with race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin is avoided. This respectful work environment extends as a policy to the protection of individuals who report a respect violation or participate in the investigation of an alleged respect violation. This commitment applies to all hiring, discharge, promotion, pay, benefits, reassignments and other personnel actions affecting the terms, conditions and privileges of employment by the Local JATC. It also includes making reasonable accommodations that allow qualified but differently abled individuals, including apprentices with disabilities, the ability to perform essential job functions.
- c. Conduct or decisions that are harassing, discriminatory, create a hostile work environment, or retaliate for asserting one's protected rights or for participating in an investigation regarding such rights are unacceptable and in violation of the Standards. If violations occur, the Local JATC will seek equal discipline where possible. Policy violations usually involve different people, different events, and different settings that create unique situations best served by evaluating historical and existing facts for those involved. Mandatory minimum discipline measures solely for disparate treatment

avoidance fail to account for the unique circumstances of each situation. The Local JATC therefore reserves the right to impose any level of discipline deemed appropriate under the circumstances.

- d. In signing the Apprenticeship Agreement, Apprentices assume the following responsibilities and obligations under the apprenticeship program:
1. Perform diligently and faithfully the work of the trade and other pertinent duties assigned by the Local JATC and the Employer in accordance with the provisions of the Standards.
  2. Respect the property of the Employer and abide by the working rules and regulations of the Employer, Union and the Local JATC.
  3. Attend and satisfactorily complete the required hours of OJT and related instruction in subjects applicable to the trade, as provided under these Standards.
  4. Maintain and make available such records of OJT and related instruction as may be required by the Local JATC.
  5. Develop and practice safe working habits and work in such a manner as to assure personal safety and that of other workers.
  6. Work for the Employer to whom the Apprentice is assigned until the OJT assignment is terminated by the Local JATC.
  7. Conduct themselves at all times in a creditable and ethical manner, including compliance with the Local JATC Respect Policy, realizing that time, money and effort are invested in their training opportunity to become a skilled craft worker.
  8. Help create an environment free of discrimination and harassment. Apprentices are entitled to respectful treatment and must conduct themselves in respectful ways.
  9. Refrain from conduct or decisions that harass or discriminate on the basis of race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. Prohibited conduct may occur, by way of illustration and not limitation, through words, acts, gestures, symbols, pictures and writings. Retaliatory conduct may include but is not limited to verbal or physical actions, shunning, or adverse employment actions. Comments and advances of a sexual nature will be considered improper and subject the perpetrator and willing participants to disciplinary action. The Local JATC strictly prohibits tangible job or education actions that are sexually or relationship premised; discipline will be administered should such actions occur. Violations will be treated as a disciplinary matter.



10. Be mature and capable of accepting and understanding that a hostile environment is different from pressures associated with workplace and educational responsibilities. Hostility may occur through insults, jokes, slurs, other verbal or physical conduct or activities that relate to race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. Expectations and accountability do not constitute hostility. Personal behavior and language that are “acceptable” to one individual may be “offensive” to another. Everyone is expected to recognize that hostility may result from the effects and not just the intent of one’s actions. Concepts such as one was “just kidding around” or “didn’t mean any harm” are not defenses to hostile behavior.
11. Engage in respectful dialogue objecting to hostile behavior to ensure an appropriate work and educational environment exists; respectfully expressing displeasure or concern challenging improper conduct is proper self-protective behavior that establishes boundaries, confirms one is not a willing participant, and helps establish a respectful environment.
12. Report conduct the Apprentice believes violates these Standards. An Apprentice who in good faith brings such a matter forward will not suffer retaliation, discrimination, harassment or reprisal for having done so. Waiting until the actions become severe or pervasive is unacceptable. Failure to report the conduct creates a rebuttable presumption that the conduct was/is consensual, even if the offended party is not directly involved in the conduct. The Local JATC will treat harassment allegations as confidential to the extent possible. The Apprentice may advise his or her direct supervisor, the next level supervisor or any other Trust management official with whom the person feels comfortable discussing such issues. Individuals should err on the side of caution and must promptly report any concerns. Failure to report may be considered a reason for disciplinary action. The Local JATC strictly prohibits retaliation because of a good faith report of a potential violation or anyone who participates or aids in the investigation of a reported violation. The conducting of an effective investigation requires sharing information to a certain degree. Any documents created or obtained concerning the harassment investigation will be treated with appropriate discretion.
13. Apprentices will participate in anti-harassment training. Such training will include participation by apprentices, such as attending in person training or completing an interactive, online training program. The training will communicate the following at a minimum: 1) that harassing conduct will not be tolerated, 2) a definition of harassment and examples of the types of conduct that would constitute unlawful harassment, and 3) notice of the right to file a harassment complaint. The Local JATC will utilize anti-harassment training materials as they

become available from the Department of Labor Office of Apprenticeship that can be adapted for the Local JATC's use.

- e. Signing: The Apprentice will be provided with a copy of the written rules and regulations and will sign and acknowledge receipt of the same. This procedure will be followed whenever revisions or modifications are made to the rules and regulations.
- f. Violations: An Apprentice who violates any part of the Standards will face appropriate discipline, up to and including termination from the Program.

#### SECTION XX - Certificate of Completion

Upon satisfactory completion of the apprenticeship program requirements, as established in these Standards, the Local JATC shall certify in writing to the Registration Agency and to the United States Department of Labor/Office of Apprenticeship ("DOL") and request that a Certificate of Completion of apprenticeship be awarded to the completing Apprentice(s). All such requests shall be accompanied by appropriate documentation of both OJT and related instruction, as required by the Registration Agency and DOL. Upon recommendation of the Employer, Training Director and Local JATC, based upon objective evidence of the Apprentice's early completion of all program requirements, a Certificate of Completion may be issued to the Apprentice upon satisfaction of such additional completion requirements as the Local JATC may impose. Upon application of the Apprentice, and upon recommendation of the Employer, Training Director and Local JATC, a conditional Certificate of Completion may be issued early to the Apprentice, based upon objective evidence of the Apprentice's satisfactory training or unusual proficiency in the trade and the completion of the following requirements: (1) 42 months minimum of the 48-month program; (2) minimum of 7,000 hours of OJT, and (3) all required coursework and is in good academic standing.

#### SECTION XXI - Amendments or Modifications

Upon approval by the Trust and the Local JATC, these Standards of apprenticeship may be amended or modified at any time, provided, that no amendment or modification adopted shall alter any Apprenticeship Agreement in force at the time without the consent of all parties to the Agreement. Such amendments or modifications shall be submitted to the Registration Agency for approval and registration prior to being placed in effect. A copy of each amendment or modification adopted shall be furnished to each Apprentice to whom the amendment or modification applies.

#### SECTION XXII - Adjusting Differences/Complaint Procedure

The Local JATC must provide written notice to all applicants for apprenticeship of their right to file a discrimination complaint with the EEOC, NERC or NSAC, including the procedures for filing and proper notice. All complaints filed must be filed within three hundred (300) days of the alleged unlawful act.

The Local JATC shall have full authority to supervise the enforcement of these Standards. The decision of the Local JATC shall be final and binding on the Employer, the 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:

- a. For issues regarding wages, hours, working conditions and other issues covered by a Collective Bargaining Agreement, Apprentices may seek resolution through the applicable Grievance and Arbitration procedures of the Collective Bargaining Agreement.
- b. The Local JATC (located at 313 Deauville Street, Las Vegas, NV 89106) shall hear and resolve all complaints of violations concerning the Apprenticeship Agreement and these registered Standards. Written notification of an alleged violation must be received by the Local JATC within thirty (30) days of the date the Apprentice or applicant knew or should have known of such violations. The Local JATC shall 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 a dispute may occur.

The name and address of the appropriate governmental authority to receive, process and make disposition of any appeal is the Registration Agency. If the complaining applicant or Apprentice is aggrieved by the decision of the Local JATC, an appeal of the decision may be filed with the Registration Agency at State Apprenticeship Council, Office of the Labor Commissioner, 3340 W Sahara Ave, Las Vegas NV 89102, (702) 486-2650, email: [NevadaSAC@labor.nv.gov](mailto:NevadaSAC@labor.nv.gov).

Any Apprentice or applicant for apprenticeship, who believes that he or she has been discriminated against on the basis of race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin, with regard to apprenticeship, or that the equal opportunity standards with respect to selection have not been followed in the operation of the apprenticeship program, may personally, or through an authorized representative, file a complaint with the DOL, Local JATC, Registration Agency or, at the Apprentice or applicant's election, with any private review body established by the program Sponsor (if applicable).

The complaint shall be in writing and shall be signed by the complainant. It must include the name, address and telephone number of the complainant, the program Sponsor 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. In the case of a complaint 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 DOL or 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 DOL or Registration Agency for good cause shown. Complaints of sexual harassment in the workplace may be filed and processed under Title 29 CFR Part 30, and the procedures set forth above.

The Local JATC will provide written notice of its complaint procedures to all applicants for apprenticeship and all Apprentices.

#### SECTION XXIII - Records and Examinations

Each Apprentice may be responsible for maintaining a record of OJT work experience/OJT and related instruction and for having this record verified by a supervisor at the end of each week. The Apprentice shall authorize an effective release of any completed instruction records by school authorities to the Local JATC. Record cards and all data pertaining to the apprenticeship shall remain the property of the Local JATC. These records shall be included in each Apprentice's file maintained by the Local JATC.

Before each period of advancement, or at any other time when conditions warrant, the Local JATC shall evaluate the Apprentice's record to determine whether the Apprentice has made satisfactory progress. If an Apprentice's related instruction or OJT progress is found to be unsatisfactory, the Local JATC may determine that the Apprentice will continue in a probationary status, receive appropriate written warnings or be required to repeat a process or series of processes before advancing to the next wage classification. In such cases, the Local JATC will initiate a performance improvement plan with the Apprentice.

Should the Local JATC find that the Apprentice does not have the ability or desire to continue training to become a Journeyworker, the Local JATC will, after the Apprentice has been given adequate assistance and opportunity for corrective action, terminate the Apprenticeship Agreement.

Written records of progress evaluations, corrective and final actions shall be maintained by the Local JATC. The Registration Agency shall be notified of all registrations, credit granted, suspensions for any reason, reinstatements, extensions, completions and cancellations.

#### SECTION XXIV - Maintenance of Records

The Local JATC shall maintain for a period of not less than six (6) years from the date of final Apprentice 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, including the processes and procedures implemented for selecting Apprentices, the reasoning for the utilized process and procedures and why alternate processes and procedures were not used.

This also includes, but is not limited to, records concerning recruitment, application and selection of Apprentices and records of an Apprentice's job assignments, including promotions, demotions, layoffs, terminations, hours of work, hours of training when not at work, rates of pay, other forms of compensation, conditions of employment, the basis for evaluation and selection or rejection of each applicant, the records pertaining to interviews of applicants and the original application of each applicant.

The records maintained by the Local JATC shall include identification of minority and female (minority and non-minority) applicants, including blacks, American Indians (including Alaskan Natives), Asians (including Pacific Islanders), Hispanic (including persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish origin or culture regardless of race), whites (Caucasians) other than Hispanic and totals for each of the foregoing categories and overall.

The records shall also include the impact of the processes and procedures utilized on race, sex (including males, female and sexual orientation), ethnic group, and how that impact may be affected by alternative processes and procedures.

The records shall be made available on request to the Registration Agency.

#### SECTION XXV - Notice to Registration Agency

The Registration Agency (Nevada State Apprenticeship Council - through the Office of the Labor Commissioner) shall be notified promptly of all new Apprentices registered, granted credit, suspended, reinstated, extended, completed or cancelled and any reasons therefor.

#### SECTION XXVI - Cancellation and Deregistration

These Standards shall, upon adoption by the Local JATC, be submitted to the Registration Agency for approval, which approval shall be required before implementation of the program.

The Local JATC reserves the right to discontinue at any time the apprenticeship program set forth herein. The Registration Agency shall be notified promptly of any decision to cancel the program.

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

Compliance enforcement measures shall include the placement of a temporary moratorium on the Local JATC's registration of new Apprentices prior to deregistration or cancellation of the Program. If after thirty (30) days, the Local JATC has not come into compliance, the Registration Agency may then institute deregistration proceedings. This will allow the Local JATC to work with the Registration Agency to address any violations and meet the steps identified in its compliance action plan before deregistration proceedings are instituted.

Within fifteen (15) days of cancellation of the apprenticeship program (whether voluntary or involuntary), the Local JATC shall notify each Apprentice of the cancellation and the effect thereof. This notification shall conform to the requirements of Title 29 CFR Part 29.7.

#### SECTION XXVII - Collective Bargaining Agreements

The provisions of these Standards shall not be construed as permitting violation of any applicable local, State or Federal laws or regulations.

Nothing in these Standards shall be interpreted as being inconsistent with existing or subsequent Collective Bargaining Agreements establishing higher standards, nor be construed to interfere with or abridge management rights vested in participating Employers under the Collective Bargaining Agreements.

If an Employer is unable to fulfill its training obligation due to lack of work or failure to conform to these Standards, the Local JATC shall transfer any affected Apprentice(s) to other participating Employers or a similar apprenticeship program.

SECTION XXVIII - Consultants

Advice and assistance in the successful operation of this apprenticeship program will be available at any time, upon request by the Local JATC, from representatives of the Registration Agency.

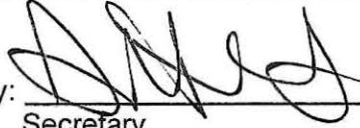
SECTION XXIX - Official Adoption of Apprenticeship Standards

The Southern Nevada Operating and Maintenance Engineers Apprenticeship and Training Trust Fund and the Local JATC hereby adopt these Standards of Apprenticeship on this 12th day of January, 2024.

THE SOUTHERN NEVADA OPERATING AND MAINTENANCE ENGINEERS  
APPRENTICESHIP AND TRAINING TRUST FUND AND ITS LOCAL JATC:

By:   
Chairperson  
Thomas O'Mahar

Date: 1/18/24

By:   
Secretary  
Anthony Williams

Date: 1/18/24

**Approved:**  
Nevada State Apprenticeship Council

By: \_\_\_\_\_

\_\_\_\_\_  
(Printed Name)

Its: \_\_\_\_\_

(Title)

Date: \_\_\_\_\_

# ATTACHMENT A

## WORK PROCESSES AND RELATED INSTRUCTION OUTLINES

TRADE SCHEDULE FOR:  
DOT Code: 950.382.026

STATIONARY ENGINEER  
O\*NET-SOC: 51-8021.02

This Trade Schedule is attached hereto and made a part of the apprenticeship Standards for the above identified occupation.

### 1. TERM OF APPRENTICESHIP

The term of the occupation shall be four (4) years with approximately Eight Thousand (8000) hours of OJT, supplemented by not less than One Hundred Forty-Four (144) hours (72 hours per semester) of required annual related instruction.

### 2. RATIO OF APPRENTICES TO JOURNEYWORKERS

The ratio of Apprentices to Journeyworkers is established by the applicable Collective Bargaining Agreements, or may be established by the Local JATC, but shall not exceed one (1) Apprentice for every ten (10) Journeyworkers for all jobsites and the overall workforce of participating Employers.

### 3. APPRENTICE WAGE SCHEDULE

Apprentices shall be paid a progressively increasing schedule of wages based on a percentage of the current Journeyworker wage rate, as set forth in the Collective Bargaining Agreements. The wage rate progression for Apprentices is as follows:

First half/first year	60% of Employer's Journeyworker wage rate
Second half/first year	65% of Employer's Journeyworker wage rate
First half/second year	70% of Employer's Journeyworker wage rate
Second half/second year	75% of Employer's Journeyworker wage rate
First half/third year	80% of Employer's Journeyworker wage rate
Second half/third year	85% of Employer's Journeyworker wage rate
First half/fourth year	90% of Employer's Journeyworker wage rate
Second half/fourth year	95% of Employer's Journeyworker wage rate

#### 4. SCHEDULE OF ON-THE-JOB TRAINING

##### TERMS AND CONDITIONS

1. Period of Probation:

Five Hundred (500) hours

2. Major Processes in which the Apprentice will receive related instruction and on-the-job experience, relating to operating, starting, stopping and adjusting; checking and recording during plant operation; testing; and maintenance with respect to the categories described as follows:

a. ELECTRICAL - 2000 hours

Wiring, Switchgear, Motors, Motor Control, Control Circuitry, Circuit Protection, Transformers, Lighting, Generators, Recorders, Controllers, Servo-Mechanisms, Amplifiers, Circuitry-Electronic, Electronic Systems, Electro-Mechanical, Electro-Pneumatic, Safety

b. REFRIGERATION - 2000 hours

Refrigeration Compressor and Condensers, Air Conditioning Equipment, Air Handling Equipment, Controls & Instruments, Electrical Equipment, Motors, Compressors, Pumps, Fans, Thermostats, Switches, Knowledge of refrigerant handling protocols, Knowledge of plumbing and wiring, proficiency in building codes and construction guides, ability to read blueprints, Miscellaneous Equipment.

c. BOILERS - 1000 hours

Low Pressure and High-Pressure Boilers and Auxiliaries, Feedwater Systems, Controls and Instruments, Chemical Treating Equipment, Cooling Towers & Coolant Systems, Monitor the boiler's pressure and temperature gauges, Recording operating data, Plant safety precautions, Temperatures, Control Settings.

d. AUXILIARY EQUIPMENT - 1000 hours

All moving parts, Pressures, Temperatures, Levels, Flows, Meters, Control Settings, Operating Loads, Safety, Controls, and Instruments.

e. KITCHEN EQUIPMENT - 1000 hours

Properly maintain all commercial kitchen equipment and tools; Ovens & Ranges, both gas or electric, Ventilation, Freezers and Refrigerators, Food Processors, Ice Machines.

f. WELDING AND MISCELLANEOUS MAINTENANCE - 1000 hours



Cutting and Burning, Oxyacetylene Welding, Arc Welding, Brazing and soldering, Structural Fabrication, Steel, Cast Iron, Stainless Steel, Copper, Aluminum, Layout, Safety, Using Metal Cutting Power Tools.

Logs and Records, Blueprint reading and drawing, Housekeeping, Pipe fitting, Adjusting bearings, etc., Making electrical repairs, Assembling & Dismantling & Fabricating, Installing and aligning, cleaning boilers, condensers, etc., Lubrication.

Total Approximate Hours .....8000

These Schedules are considered flexible and may be revised by the Local JATC to accommodate actual training opportunities. With approval of the Local JATC, the hours may be increased, decreased and applied interchangeably among the different Apprentice training classifications to accommodate reasonable changes in training needs. The JATC shall have reasonable discretion to assess the progress and adjust the training needs of each Apprentice.

## 5. SCHEDULE OF RELATED INSTRUCTION

Provisions for organized and supplemental instruction in technical subjects related to the trade with a minimum of one hundred forty-four (144) hours (72 hours per semester) for each year of apprenticeship, given in a classroom or through trade, industrial or correspondence courses of equivalent value, or other forms of study approved by the Registration Agency [NRS 610.144(d)].

1. Completion of the following Courses is required:
  - a. Refrigeration I
  - b. Refrigeration II
  - c. Basic Electricity I
  - d. Basic Electricity II
  - e. Boilers
  - f. Auxiliaries
  - g. Welding
  - h. Kitchen and Building Maintenance
2. See attached Class Schedules (which may be amended and revised by the Local JATC with approval of the Registration Agency).
3. Any trade certifications required by city, county, state or local governmental agencies.

ATTACHMENT B

AFFIRMATIVE ACTION PLAN

ADOPTED BY

SOUTHERN NEVADA OPERATING AND  
MAINTENANCE ENGINEERS JATC

AS REQUIRED UNDER  
TITLE 29, CODE OF FEDERAL REGULATIONS, PART 30, AS AMENDED

## SECTION I - INTRODUCTION

The Local JATC adopts this Affirmative Action Plan in good faith and for the purpose of promoting equality of opportunity to all applicants for, and Apprentices selected into, its registered apprenticeship program. The Local JATC seeks to increase the recruitment of qualified women, individuals with disabilities and minorities and disabled persons for possible selection into the apprenticeship program whenever females, individuals with disabilities and/or minorities and/or disabled persons are determined to be underutilized in the apprenticeship program. The Local JATC hereby adopts the following non-discrimination Pledge and Affirmative Action Plan, which will be effective as of January 18, 2019, if not before.

This Affirmative Action Plan is a supplement to the apprenticeship Standards. Any changes made by the Local JATC shall become part of this written Affirmative Action Plan, upon approval by the Registration Agency.

## SECTION II - EQUAL OPPORTUNITY PLEDGE

The Local JATC commits to the following Equal Opportunity Pledge:

The Local JATC will not discriminate against apprenticeship applicants or Apprentices during recruitment, selection, employment and training of apprentices or during apprenticeship based on race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. The Local JATC will take affirmative action to provide equal opportunity in apprenticeship and will conduct, operate and administer the apprenticeship program as required under Title 29 of the Code of Federal Regulations, Part 30 and all Regulations governing equal employment opportunity in the State of Nevada, including uniformly applying such to equality of wages, periodic advancement, promotion, assignment of work, the performance of a job, rotation among different types of work involved in the trade, imposition of penalties or other disciplinary action, and other administrative aspects of the program of apprenticeship.

## SECTION III - PERSONS WITH DISABILITIES

Individuals shall be invited to voluntarily self-identify a disability at the time they apply or are considered for apprenticeship, and after they are accepted into, but before they begin, their apprenticeship. This invitation may be included with the application materials for apprenticeship, but must be separate from the application.

In addition, before January 18, 2019, the Local JATC shall, on a one time basis, invite each of the current Apprentices to voluntarily self-identify as an individual with a disability. Any such self-identification is confidential and separate from application considerations.

The Apprentices must be reminded annually that they may voluntarily update their disability status at any time.

Any invitation to self-identity must use the language and manner prescribed by the Administrator of Apprenticeship and published on the Office of Apprenticeship, Department of Labor Web site (which is not yet available but should be checked periodically by the Local JATC).

No individual may be compelled or coerced to self-identify a disability. However, affirmative action must be taken with respect to those applicants and Apprentices of whose disability the Local JATC has knowledge, even if the applicant or Apprentice does not self-identify.

All information on self-identification must be kept confidential and maintained in a data analysis file (rather than the Apprentices' medical files). Self-identification information must be provided to the Registration Agency upon request, including any requests for reasonable accommodation.

Self-identification information may be used only in accordance with the information provided in this Section of the Standards.

#### SECTION IV - UTILIZATION, WORKFORCE AND AVAILABILITY ANALYSIS - GOALS AND TIMETABLES

1. Introduction: In order to allow positive recruitment and full utilization of eligible minorities, individuals with disabilities and disabled persons in the apprenticeship program, the Local JATC pledges to identify outreach efforts under Section V which will be undertaken. The purpose of the analysis is to determine the minority, persons with disabilities and women and disabled labor forces in the Local JATC's labor market area. Once the labor forces are determined, the Local JATC can identify whether deficiencies exist in terms of underutilization of minorities, individuals with disabilities and/or disabled persons in the occupations registered with the Registration Agency.

2. Utilization Analysis and Goals: The Local JATC will perform a utilization analysis for race, sex, and ethnicity by comparing the workforce and availability analyses (defined below). The purpose of the utilization analysis is to provide a method for assessing whether possible barriers to apprenticeship exist for particular groups of individuals by determining whether the race, sex, and ethnicity of Apprentices is reflective of persons available for apprenticeship by race, sex, and ethnicity in the relevant recruitment area. Where significant disparity exists between availability and representation, a utilization goal must be established.

To determine the rate of utilization, the Local JATC, working with the Registration Agency, must group each occupational title in its apprenticeship workforce by major occupation group and compare the racial, sex, and ethnic representation within each major occupation group to the racial, sex, and ethnic representation available in the relevant recruitment area. If the utilization of women, Hispanics or Latinos, or a particular racial minority group is significantly less than would be reasonably expected given the availability of such

individuals for apprenticeship, a utilization goal must be established for the affected group. No goals have to be established where no significant disparity in utilization rates has been found.

With regard to individuals with disabilities, the Office of Apprenticeship's ("OA") Administrator has established a utilization goal that seven percent (7%) of the Apprentices be individuals with disabilities for each major occupation group within the apprenticeship program. However, a determination that the Local JATC has not attained this goal in one or more major occupation groups does not constitute either a finding or

an admission of discrimination nor a violation of the applicable rules and regulations. This utilization goal may change and be updated periodically by the OA Administrator.

Utilization goals will not be used as a quota or ceiling that limits or restricts the employment of individuals on the basis of that person's race, sex, ethnicity or disability. Utilization goals may not be used to supersede eligibility requirements for apprenticeship. The Local JATC is not required to select a person who lacks qualifications to participate in the apprenticeship program successfully, or select a less-qualified person in preference to a more qualified one.

3. Workforce Analysis: The Local JATC must analyze the race, sex, ethnic and individuals with disabilities composition of their apprentice workforce in a two-step process. All Apprentices must be grouped by occupational title and then the race, sex and ethnicity of all Apprentices must be identified within each occupation. This same analysis must be done to identify the number of apprentices with disabilities.

This workforce analysis must be conducted at each compliance review, and again, if and when three years have passed, without a compliance review. This updated workforce analysis, grouped according to major occupation group, should then be compared to the utilization goal established under paragraph (2) of this Section or established at the most recent compliance review.

4. Availability Analysis: The purpose of the availability analysis is to establish a benchmark against which the demographic composition of this apprenticeship program can be compared in order to determine whether barriers to equal opportunity may exist (individuals with disabilities are not included in this analysis).

Availability is an estimate of the number of qualified individuals available for apprenticeship by race, sex, and ethnicity expressed as a percentage of all qualified persons available for apprenticeship in the Local JATC's relevant recruitment area. In determining availability, the following factors must be considered for each major occupation group represented in the Standards:

(i) The percentage of individuals who are eligible for enrollment in the apprenticeship program within the Local JATC's relevant recruitment area broken down by race, sex, and ethnicity;

(ii) (The percentage of the Local JATC's employees who are eligible for enrollment in the apprenticeship program broken down by race, sex, and ethnicity.

The relevant recruitment area is defined as the geographical area from which the Local JATC usually seeks or reasonably could seek apprentices. Therefore, the Local JATC's relevant recruitment area is Southern Nevada. This relevant recruitment area is not drawn in such a way as to have the effect of excluding individuals based on race, sex, or ethnicity from consideration. The Local JATC's rationale for selection of this recruitment area is based on statistical information found from some of all or the following sources: census data; data from local job service offices; data from colleges or other training institutions; and any other applicable resource.

The Local JATC, working with the Registration Agency, will conduct an availability analyses at each compliance review.

5. Goals. The goals set by the Local JATC, using workforce and utilization analyses, are not rigid and inflexible quotas that must be met. Such goals do not allow preferential selection of any of the Protected Bases, nor do such goals create “set-asides” for specific groups nor allow such goals to be used to supersede eligibility requirements.

The workforce analysis shall be conducted at the occupation level and the utilization analysis shall be conducted at the major occupation category level, using a common source of data (RAP1DS/O\*NET), easily accessible to the Local JATC.

## SECTION V - OUTREACH AND POSITIVE RECRUITMENT

If, based upon the utilization analysis (Section IV), a particular group is underutilized and a goal has to be set, or if the Local JATC has assessed impediments to equal employment opportunity, targeted outreach, recruitment, and retention activities must be undertaken that are likely to generate an increase in applications for apprenticeship and improve retention of apprentices from the targeted group or groups and/or from individuals with disabilities, as appropriate.

The Local JATC shall (1) develop and update a list of recruitment sources, examples of which are identified in paragraphs (a-k), (2) identify a contact person at each recruitment source and (3) provide such recruitment sources advance notice [preferably thirty (30) days] of all Local JATC openings, so they can notify and refer candidates. These checked outreach and positive recruitment efforts shall begin on or before the Effective Date and are expected to increase participation in apprenticeship by minorities, individual with disabilities and women and disabled persons by expanding their opportunities to become eligible for apprenticeship selection. Once these efforts have been checked, the Local JATC shall set forth the specific steps they intend to take under each identified effort in order to meet its obligations under Title 29 CFR Part 30.4(c) and 30.8.

- a. An announcement of apprenticeship openings must be disseminated thirty (30) days in advance of the earliest date for application at each interval to the following agencies/organizations:
  - Registration Agency
  - Women’s Organizations/Centers
  - Local Schools,
  - Community colleges,
  - Vocational, career and technical schools
  - Employment Service Centers
  - One Stop Centers
  - Community-Based Organizations (“CBOs”)
  - Other Organizations/Centers (which effectively reach minorities, women and disabled persons)
  - Newspapers (which are circulated in the minority and disabled communities and among women)
  - Electronic Social Media (Facebook)
  - Federally-funded, youth job-training programs such as YouthBuild and Job Corps or their successors
  - Indeed (Development Disabilities Jobs in Nevada), Opportunity Village, etc.

The announcement shall include the nature of the apprenticeship, requirements for admission to apprenticeship, availability of apprenticeship opportunities, sources of apprenticeship applications and the Equal Opportunity Pledge and Policy. Applications will be taken for not less than a two (2) week period.

- b. Participation in annual workshops conducted by employment service agencies for the purpose of familiarizing school, employment services and other appropriate personnel with the apprenticeship program and current opportunities.
- c. Cooperation with school boards and vocational educational systems to develop programs for preparing students to meet the standards and criteria required to qualify for entry into the apprenticeship program targeting students from any under-represented groups to meet apprenticeship entry standards.
- d. Entering into agreements to enlist the support of pre-apprenticeship programs, community-based organizations or advocacy organizations in recruiting qualified individuals and developing pre-apprenticeship programs.
- e. Communicating internally the Local JATC's Equal Opportunity Policy in such a manner so as to foster understanding, acceptance and support among the JATC's various officers, supervisors, employees, journeyworkers, and members and to encourage such persons to take the necessary action to aid in meeting the Local JATC's obligation under Title 29 CFR Part 30.
- f. Engaging in programs such as outreach for the positive recruitment and preparation of potential applicants for apprenticeship; and where appropriate and feasible, such programs shall provide for pretesting experience and training. In initiating and conducting these programs, the Local JATC may be required to work with other sponsors and appropriate community organizations. The Local JATC shall also initiate programs to prepare and encourage women to enter traditionally male programs.
- g. Encouraging the establishment and utilization of programs of pre-apprenticeship, preparatory trade training or other programs designed to afford related work experience or to prepare candidates for apprenticeship. The Local JATC shall make appropriate provisions in its AAP to assure that those who complete such programs are afforded full and equal opportunity for admission into the apprenticeship program.
- h. Utilizing Journeyworkers to assist in the implementation of this AAP from the underutilized group or groups, including mentoring Apprentices, assisting with the Local JATC's targeted outreach and recruitment activities and conducting exit interviews of each Apprentice who leaves the Local JATC's apprenticeship program prior to receiving a certificate of completion to understand better why the Apprentice is leaving the program and to help shape the Local JATC's retention activities.



- i. Granting advance standing or credit on the basis of previously acquired experience, training, skills or aptitude for all applicants on an equal basis.
- j. Using Other appropriate action to ensure that the recruitment, selection, employment and training of Apprentices during their apprenticeship shall be without discrimination because of race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin (i.e., general publication of apprenticeship opportunities and advantages in advertisements, industry reports, articles, etc.; use of current minority and female and disabled Apprentices and Journeyworkers as recruiters.
- k. Other appropriate actions including career counseling, developing reporting systems and on-site reviews and briefing sessions.

The Local JATC shall evaluate and document after every selection cycle for registering Apprentices the overall effectiveness of the activities listed in paragraphs a-k, refine its targeted outreach, recruitment, and retention activities as needed and maintain records of its evaluation of these activities.

#### SECTION VI - ASSIGNMENT OF RESPONSIBILITY

The Training Director, or some other suitable employee, shall be responsible and accountable for overseeing the Local JATC's commitment to equal opportunity in registered apprenticeship, including the development and implementation of this AAP, as required by 29 CFR § 30.4. The Training Director will be given the resources, support of and access to the Board to ensure effective implementation. Specifically, the Training Director will be responsible for:

- (i) Monitoring all registered apprenticeship activity to ensure compliance with the nondiscrimination and affirmative action obligations required by this AAP;
- (ii) Maintaining records required under this AAP; and
- (iii) Generating and submitting reports as may be required by the Registration Agency.

#### SECTION VII - ANNUAL REVIEW OF AFFIRMATIVE ACTION PLAN

As of January 18, 2019, personal processes must be reviewed annually and updated where necessary related to the administration of the apprenticeship program to ensure that the Local JATC is operating an apprenticeship program free from discrimination based on race, color, creed, age (40 or older), sex, sexual orientation, gender identity or expression, genetic information, religion, disability or national origin. This annual review is required regardless of whether the Local JATC is underutilized as described in 29 CFR § 30.5(d). The Local JATC shall retain all data and analyses of such.

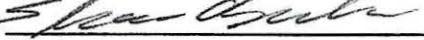
The review shall be conducted carefully and systematically and will include all aspects of the apprenticeship program at the program, industry and occupation level, including, but not limited to, the qualifications for apprenticeship, application and selection procedures, wages, outreach and recruitment activities, advancement opportunities, promotions, work

assignments, job performance, rotations among all work processes of the occupation, disciplinary actions, handling of requests for reasonable accommodations, and the program's accessibility to individuals with disabilities (including the use of information and communication technology).

Any necessary modifications shall be made to this AAP to ensure that all obligations under all related rules and regulations are met. The Local JATC will work diligently to identify the cause and effect that result from such affirmative action measures and will continually monitor these processes to identify the need for new affirmative action efforts and/or deletion of any ineffective existing activities. If underutilization exists, corrective action will be immediately implemented.

All changes to the Affirmative Action Plan must be submitted to the Registration Agency for approval. The Local JATC will continually monitor the participation rates of minorities, women and disabled persons in the apprenticeship program in an effort to identify any type of underutilization. If underutilization exists, corrective action will be immediately implemented. The goals and timetables for the occupation registered will be reviewed annually and updated where necessary.

THE SOUTHERN NEVADA OPERATING AND MAINTENANCE ENGINEERS  
APPRENTICESHIP AND TRAINING TRUST FUND AND ITS LOCAL JATC:

By:   
Chairperson  
Thomas O'Mahar

Date: 1/18/24

By:   
Secretary  
Anthony Williams

Date: 1/18/24

## ATTACHMENT C

### QUALIFICATIONS AND SELECTION PROCEDURES

#### SECTION I - MINIMUM QUALIFICATIONS

Applicants shall meet the following minimum qualifications:

a. Age

Apprentices must be not less than 18 years of age.

b. Education

A high school degree or a High School Equivalency (HSE or GED) is required to apply to the apprenticeship program (either is acceptable).

An applicant who is seventeen (17) years of age and is participating in a school-to-work program or its equivalent, and who otherwise meets all qualifications, may be rated, ranked and placed on the list of eligible applicants. Any such applicant must be eighteen (18) years of age prior to being accepted into the apprenticeship program.

An applicant must submit a copy of a DD Form 214 (Discharge and Separation Report) to verify military training and/or experience if the applicant is a veteran and desires to receive consideration for such training/experience.

c. Physical

Shall be physically capable of performing the essential functions of the apprenticeship program without posing a direct threat to the health or safety of the applicant or others, with reasonable accommodations.

Qualified applicants may be subject to a physical examination or drug screening or both upon acceptance into the program and prior to being employed. The cost of the examination and/or drug screening shall be the responsibility of the Local JATC or the Employer, whichever should administer the examination or drug screening.

The Local JATC has agreed with participating Employers that each Apprentice may be drug screened by the Employer pursuant to the Employer's adopted testing procedures prior to commencement of Employment. A failed drug screening (a positive test) may result in the Local JATC's rejection of an applicant for indenture or the discipline of an Apprentice by the Local JATC, including possible cancellation of the Apprenticeship Agreement. Any Apprentice challenging a failed drug screening (administered through a participating Employer's testing procedures) must resolve the challenge solely and directly with the Employer and not through the Local JATC.

## SECTION II - APPLICATION PROCEDURES

- a. Applications shall be accepted every even year. All persons requesting an application shall have one made available upon signing the applicant log.
- b. All applications shall be identical in form and requirements. The application form shall be numbered in sequence corresponding with the number appearing on the applicant log, so that all applications are accounted for. Columns will be provided on the applicant log to show race/ethnicity and sex identification, the progress by dates and final disposition of each application.
- c. Before completing the application, each applicant will be provided information about the apprenticeship program. If the applicant has any additional questions concerning the qualifications, or needs additional information to complete the application, an appropriate response will be provided by the Local JATC.
- d. Receipt of the properly completed application form, along with required supporting documents (proof of age - driver's license, birth certificate or other acceptable documentation; proof of education - copy of high school diploma, HSE, GED Certificate or other acceptable documentation) will constitute the completed application.
- e. Completed applications will be checked for minimum qualifications. Applicants who are deficient in one or more qualification requirements or who have made false statements on their applications will be notified in writing of their disqualification.
- f. Applicants meeting the minimum qualifications and submitting the required documentation will be notified where and when to appear for an interview.

## SECTION III - SELECTION PROCEDURES

A selection procedure is any measure, combination of measures, or procedure used as a basis for a hiring, promotion, or similar decision in apprenticeship. Selection procedures include the full range of assessment techniques from traditional paper and pencil tests, performance tests, training programs, or probationary periods and physical, educational, and work experience requirements through informal or casual interviews and unscored application forms. The Local JATC may adopt any selection procedure or procedures, so long as such procedures meet the following requirements:

- (i) Comply with established legal authorities, including the Uniform Guidelines on Employee Selection Procedures (UGESP) and the Americans with Disabilities Act (as amended), including the requirements to evaluate the impact of the selection procedure on race, sex, and ethnic groups (Hispanic or Latino/non-Hispanic or Latino) and to demonstrate job-relatedness and business necessity for those procedures that result in adverse impact in accordance with the requirements of the UGESP;

- (ii) Are uniformly and consistently applied to all applicants and apprentices within each selection procedure utilized;
- (iii) Are facially neutral in terms of the Protected Bases; and
- (iv) Comply with Title I of the ADA and the EEOC's implementing regulations at Part 1630 and must not screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test or other selection criteria, is shown to be job-related for the position in question and is consistent with business necessity.

The Local JATC has determined that the aptitude test is related to the performance of the job, as shown by significant statistical relationships determined in accordance with 41 C.F.R. Part 60-3 and complies with the requirements of all laws and regulations. The Local JATC shall follow its selection procedures, as set forth in paragraphs a-j.

- a. The Local JATC shall schedule the aptitude test and evaluation session. All applicants who have met the minimum qualifications and have submitted the required documentation must be notified of the date, time and place to appear.
- b. The interviewer(s) will rate each applicant during the interview process on the Applicant Rating Form, taking into account the information on the application, required documentation and the objective judgment of the applicant's qualifications derived from the interview.
- c. After completing the interview and evaluation of the applicant, the individual rating scores of the interviewer(s) will be added together and averaged to determine the applicant's final rating.
- d. Applicants will be placed on a "Ranking List" according to their overall score. The applicant with the highest score shall be at the top of the Ranking List and all other applicants shall be listed in descending order based on their overall scores.
- e. As openings for registration of new Apprentices occur, the highest ranked applicant will be notified of selection by telephone. It shall be the responsibility of each applicant to keep the Local JATC informed of a current mailing address and working telephone number.
- f. Applicants that cannot be reached by telephone will be sent "Certified Mail-Return Receipt Requested" letters to determine if the individuals are still interested. If no response is received within ten (10) working days from the date of such written notice, the applicant's name will be removed from the Ranking List. Only one notice will be sent.
- g. Qualified applicants shall remain on the Ranking List for a period of two (2) years. Applicants who were not placed on the Ranking List during the two (2) year period will be required to reapply.

- h. An individual who signs an authorization card during a Union organizing effort, who is not classified as a Journeyworker, and where the organizing effort leads to a signed Collective Bargaining Agreement with the Employer containing apprenticeship training requirements, the individual shall be evaluated and indentured by the Local JATC at the appropriate period of apprenticeship based on previous work experience and related training.
- i. An individual who signs an authorization card during an organizing effort (wherein 51% or more of the employees have signed authorization cards, whether or not the Employer becomes signatory) and is an employee of the non-signatory Employer and does not qualify as a Journeyworker, shall be evaluated and indentured by the Local JATC at the appropriate period of apprenticeship based on previous work experience and related training, but only if:
  - 1. the individual was employed in the Local JATC's jurisdiction when the authorization card was signed;
  - 2. the individual was employed by the Employer before the organizational effort commenced;
  - 3. all employees of the Employer must have been given the opportunity to sign authorization cards and be evaluated; and
  - 4. the individual provides reliable documentation to the Local JATC showing he was an employee performing stationary engineer work prior to signing the authorization card.
- j. If the Local JATC finds that this selection procedure is not effective, the Local JATC is permitted and encouraged to implement a different selection procedure(s) or extend or reopen selection periods.