

# STANDARDS OF APPRENTICESHIP

DEVELOPED BY

***Name of JATC***

*or*

***Name of Employer and Name of Union***

FOR

ALL OCCUPATIONS IDENTIFIED IN APPENDIX A

APPROVED BY

GOVERNOR'S OFFICE OF WORKFORCE INNOVATION AND  
THE NEVADA STATE APPRENTICESHIP COUNCIL

\_\_\_\_\_  
Richard J. Williams, Nevada State Apprenticeship Director

REGISTRATION DATE: \_\_\_\_\_

RAPIDS PROGRAM ID NUMBER: \_\_\_\_\_

REGISTERED AS PART OF THE NATIONAL APPRENTICESHIP ACT  
IN ACCORDANCE WITH THE BASIC STANDARDS OF APPRENTICESHIP  
ESTABLISHED BY THE U.S. DEPARTMENT OF LABOR, THE GOVERNOR'S OFFICE OF  
WORKFORCE INNOVATION, AND THE NEVADA STATE APPRENTICESHIP COUNCIL

**TABLE OF CONTENTS**

		Page
Table of Contents .....		2
Foreword .....		3
SECTION 1	Program Administration .....	4
SECTION 2	Equal Opportunity Pledge .....	5
SECTION 3	Affirmative Action Plan and Selection Procedures .....	6
SECTION 4	Qualifications for Apprenticeship .....	6
SECTION 5	Apprenticeship Agreement .....	7
SECTION 6	Supervision of Apprentices and Ratios .....	7
SECTION 7	Term of Apprenticeship .....	8
SECTION 8	Probationary Period .....	8
SECTION 9	Hours of Work .....	8
SECTION 10	Apprentice Wage Progression .....	8
SECTION 11	Credit for Previous Experience .....	9
SECTION 12	Work Experience .....	9
SECTION 13	Related Instruction .....	9
SECTION 14	Safety and Health Training .....	10
SECTION 15	Maintenance of Records .....	10
SECTION 16	Certificate of Completion of Apprenticeship .....	11
SECTION 17	Notice to Registration Agency .....	11
SECTION 18	Registration, Cancellation, and Deregistration .....	11
SECTION 19	Amendments and Modifications .....	12
SECTION 20	Adjusting Differences; Complaint Procedure .....	12
SECTION 21	Transfer of an Apprentice and Training Obligation .....	14
SECTION 22	Responsibilities of the Apprentice .....	14
SECTION 23	Technical Assistance .....	15
SECTION 24	Conformance with Federal and State Laws and Regulations .....	15
SECTION 25	Collective Bargaining Agreements .....	15
SECTION 26	Definitions .....	15
SECTION 27	Official Adoption of Apprenticeship Standards .....	19
Appendix A - Work Process Schedules and Related Instruction Outline		
Appendix B - Apprenticeship Agreement and Certification of Completion of Apprenticeship		
Appendix C - Affirmative Action Plan		
Appendix D - Qualifications and Selection Procedures		
Appendix E - Employer Acceptance Agreement (if applicable)		

## FOREWORD

These **Program Sponsor Name** apprenticeship standards have as their objective the training of numerous apprenticeable occupations skilled in all phases of various industries. **Program Sponsor Name** acting as sponsor, recognize that in order to accomplish this, there must be well-developed on-the-job learning combined with related instruction.

Pursuant to Title 29, CFR part 29.4 and NRS 610.202 these occupations are apprenticeable because each meet the following criteria:

- (a) Involve skills that are customarily learned in a practical way through a structured, systematic program of on-the-job supervised learning;
- (b) Be clearly identified and commonly recognized throughout an industry;
- (c) Involve the progressive attainment of manual, mechanical or technical skills and knowledge which, in accordance with the industry standard for the occupation, would require the completion of at least 2,000 hours on on-the-job learning to attain; and
- (d) Require related instruction to supplement the on-the-job learning.

This recognition has resulted in the development of these standards of apprenticeship. They were developed in accordance with the basic standards recommended by the U.S. Department of Labor, Office of Apprenticeship, as well as the Governor's Office of Workforce Innovation (OWINN) and the Nevada State Apprenticeship Council, as a basis from which the sponsor can work to establish an apprenticeship training program that meets the particular needs of the area.

## **SECTION 1 – PROGRAM ADMINISTRATION**

Program sponsors are responsible for the administration of all aspects of a Registered Apprenticeship program. Sponsor means any person, association, committee, or organization operating an apprenticeship program and in whose name the program is (or is to be) registered or approved. Sponsors will establish a Joint Apprenticeship and Training Committee (JATC) 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. The sponsor will administer the program with the services of a JATC.

### **Responsibilities of the JATC**

- A. Cooperate in the selection of apprentices as outlined in this program.
- B. Ensure that all apprentices are under written apprenticeship agreements.
- C. Ensure in writing an employer agrees to pay the applicable apprenticeship wage and the costs of the training assessed to the apprentice, as defined in Section XIII.
- D. Review and recommend apprenticeship activities in accordance with this program.
- E. Establish the minimum standards of education and experience required of apprentices.
- F. Register the local apprenticeship standards with the Registration Agency.
- G. Hear and resolve all complaints of violations of apprenticeship agreements.
- H. Arrange evaluations of apprentices' progress in manipulative skills and technical knowledge.
- I. Maintain records of all apprentices, showing their education, experience, and progress in learning the occupation.
- J. Certify to the Registration Agency that apprentices have successfully completed their apprenticeship program.
- K. Notify, within 10 days, the Registration Agency of all new apprentices to be registered, credit granted, suspensions for any reason, reinstatements, extensions, completions and cancellations with explanation of causes.
- L. 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. Cooperate with public and private agencies, which can be of assistance in obtaining publicity to develop public support of apprenticeship. Keep in contact with all parties concerned, including apprentices, employers, and journeyworkers.
- M. Provide each apprentice with a copy of these standards, along with any applicable written rules and policies. Require the apprentice to sign an acknowledgment receipt of same. Follow this procedure whenever revisions or modifications are made to the rules and policies.
- N. When notified that an apprentice's related instruction or on-the-job progress is found to be unsatisfactory, the sponsor will determine whether the apprentice should continue in a probationary status and may require the apprentice to repeat a process or series of processes before advancing to the next wage classification. Should it be found in the course of this determination that the apprentice does not have the ability or desire to

continue the training to become a journeyworker, the sponsor will, after the apprentice has been given adequate assistance and opportunity for corrective action, terminate the apprenticeship agreement, as provided in NRS 610.180 and 29 CFR § 29.7(h)(1)(2)(i) and (ii).

- O. The employer will provide each registered apprentice with continuous employment sufficient enough to provide the opportunity for completion of his or her apprenticeship program. If the sponsor is unable to fulfill its training and/or employment obligation in conformance with these standards, the sponsor will, per Section XXI of these standards and with the apprentice's consent, make a good-faith effort to facilitate a transfer of the apprentice to another registered employer for completion of the apprenticeship.

If conditions of business make it necessary to temporarily suspend the period of apprenticeship, apprentices suspended for this reason will be given the opportunity to resume their active apprenticeships before any additional apprentices are employed. The suspension and reinstatement of apprentices shall be done in relation to retention of the most advanced apprentice and in accordance with the company policy for breaks in seniority.

#### **Suggested Structure of the Joint Apprenticeship and Training Committee (JATC)**

- A. Members of the JATC will be selected by the groups they represent.
- B. Membership will be composed of an equal number of representatives of the employer(s) and of the employees represented but does not have a bona fide collective bargaining agent(s).

#### **Suggested Administrative Procedures**

- A. The JATC will elect a chairperson and a secretary and will determine the time and place of regular meetings. Meetings will be held as frequently as needed to effectively manage the program. Written minutes of the meetings will be kept.
- B. The chairperson and secretary will have the power to vote on all questions affecting the apprenticeship program.
- C. The offices of chairperson and secretary will rotate among members of the JATC.
- D. The JATC will invite a representative designated by the Council to serve as a consultant to the committee.
- E. The JATC will notify the Nevada State Apprenticeship Council via the Registration Agency, of any termination or agreement within 10 days.
- F. The JATC will be comprised of an equal number of representatives of management and labor and any public representatives whom they select.

#### **SECTION 2 - EQUAL OPPORTUNITY PLEDGE – NRS 610.144 and 29 CFR §§ 29.5(b)(21) and 30.3(b)**

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

older. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under NRS 610.144 and 29 CFR § 30.

The Program 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. The Program Sponsor shall not discriminate against a qualified individual with a disability because of the disability of such individual. The Program Sponsor will provide reasonable accommodation to individuals as required by federal, state, or local disability law.

**SECTION 3 - AFFIRMATIVE ACTION PLAN AND SELECTION PROCEDURES - NRS 610.144 and 29 CFR §§ 29.5(b)(21), 30.4, and 30.5**

Sponsors are required to provide a written selection procedure (Appendix D), which will become part of these standards of apprenticeship and those with five or more registered apprentices are required to adopt an Affirmative Action Plan (Appendix C) two years after program registration. However, the Nevada State Apprenticeship Council encourages the development of these two plans for all programs regardless of apprentice numbers.

For programs with fewer than five apprentices, these plans are not required, and the sponsor may continue to select apprentices in conformance with its current human resources and equal employment opportunity hiring policies.

**SECTION 4 - QUALIFICATIONS FOR APPRENTICESHIP - NRS 610.144 and 29 CFR § 29.5(b)(10)**

Applicants will meet the following minimum qualifications. These qualification standards, and the score required on any standard for admission to the applicant pool, must be directly related to job performance, as shown by a statistical relationship between the score required for admission to the pool and performance in the apprenticeship program:

- A. Age  
Minimum qualifications required by the sponsor for persons entering the apprenticeship program, with an eligible starting age not less than 16 years.
- B. Education  
A high school diploma, General Educational Development (GED) equivalency or other high school equivalency credential is required. Applicant must provide an official transcript(s) for high school and any post-high school education. Applicant must submit the GED certificate or other high school equivalency credential if applicable.
- 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 screening for the current illegal use of drugs required by the employer on acceptance into the program and prior to being employed.

D. Aptitude Test

When required by a program sponsor, each applicant must take an applicable aptitude test given by the program sponsor which will be used as one factor in the evaluation process. The aptitude test shall not be used as the sole factor of disqualifying an applicant.

E. Other

As deemed appropriate and required by the employer and/or sponsor.

**SECTION 5 - APPRENTICESHIP AGREEMENT - NRS 610.150, NRS 610.160 and 29 CFR §§ 29.3(d), 29.3(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) which can be submitted electronically through the Registered Apprenticeship Partners Information Data System (RAPIDS) or its successor, using the Apprentice Electronic Registration process by the sponsor 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. The sponsor shall provide a copy of the apprenticeship agreement to the apprentice, the Registration Agency, and the employer. 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 sponsor's written rules and policies, and the apprenticeship agreement, and the sections of the collective bargaining agreement (CBA) that pertain to apprenticeship. The Nevada State Apprenticeship Council, via the Registration Agency will be advised within 45 days of the execution of each apprenticeship agreement and will be given all the information required for registering the apprentice.

**SECTION 6 - SUPERVISION OF APPRENTICES AND RATIOS - NRS 610.144 and 29 CFR § 29.5(b)(14) and 29 CFR § 29.5(b)(7)**

No apprentice shall work without proper or adequate supervision of the journeyworker.

For the purpose of these apprenticeship standards, adequate or proper supervision of the apprentice means the apprentice is under the supervision of a fully qualified journeyworker or supervisor at all times who is responsible for making work assignments, providing on-the-job learning (OJL), and ensuring safety at the worksite.

To adequately or properly supervise an apprentice does not mean the apprentice must be within eyesight or reach of the supervisor, but that the supervisor knows what the apprentice is working on; is readily available to the apprentice; and is making sure the apprentice has the necessary instruction and guidance to perform tasks safely, correctly, and efficiently.

The sponsor shall establish a numeric ratio of apprentices to fully proficient workers (journeyworkers) consistent with proper supervision, training, safety, continuity of employment and applicable provisions in CBAs, except where such ratios are expressly prohibited by the CBAs throughout the apprenticeship. The ratio language must be specific and clearly described as to its

application to the jobsite, workforce, department, or plant. The ratio of apprentices to fully proficient workers (journeyworkers) will be as noted in each Appendix A.

**SECTION 7 - TERM OF APPRENTICESHIP – 29 CFR § 29.5(b)(2)**

The term of the occupation will be time-based, hybrid, or competency-based (selection based on the occupation) with an OJL attainment of supplemented by the required hours of related instruction as stated on the Work Process Schedules and Related Instruction Outlines (Appendix A).

The sponsor may utilize a career lattice as a pathway for apprentices to move upward in the organization, which may or may not include interim credential leading to the Certificate of Completion of Apprenticeship or career lattice credential, if applicable.

**SECTION 8 - PROBATIONARY PERIOD – NRS 610.150, NRS 610.144, and 29 CFR §§ 29.5(b)(8) and 29.5(b)(20)**

Every applicant selected for apprenticeship will serve a probationary period. The probationary period cannot exceed 25 percent of the length of the program or 1 year, whichever is shorter.

During the probationary period, either the apprentice or the sponsor may terminate the apprenticeship agreement, without stated cause, by notifying the other party in writing. 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.

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 cancelled at the request of the apprentice or may be suspended or cancelled by the sponsor for reasonable cause after documented due notice to the apprentice and a reasonable opportunity for corrective action. In such cases, the sponsor will provide written notice to the apprentice and to the Nevada State Apprenticeship Council via the Registration Agency of the final action taken.

**SECTION 9 - HOURS OF WORK**

Apprentices will generally work the same hours as fully proficient workers (journeyworkers), except that no apprentice will be allowed to work overtime if it interferes with attendance in related instruction classes. Apprentices who do not complete the required hours of OJL during a given segment will have the term of that segment extended until they have accrued the required number of hours of training.

**SECTION 10 - APPRENTICE WAGE PROGRESSION – NRS 610.144 and 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 fully proficient or journeyworker status, the sponsor will evaluate all progress to determine whether advancement has been earned by satisfactory performance in OJL and in related instruction courses. In determining whether satisfactory progress has been made, the sponsor will be guided



by the work experience and related instruction records and reports.

The progressive wage schedule and fringe benefits will be an increasing percentage of the fully proficient or journeyworker wage rate as established in the CBA. The percentages that will be applied to the applicable fully proficient or journeyworker rate are shown on the attached Work Process Schedules and Related Instruction Outlines (Appendix A). In no case will the starting wages of apprentices be less than that required by any minimum wage law that may be applicable, or 35% of the rate for journeyworkers/fully competent workers in a non-construction trade and the minimum reasonable and profitable wage for an apprentice in the construction industry.

**SECTION 11 - CREDIT FOR PREVIOUS EXPERIENCE - NRS 610.140 and 29 CFR §§ 29.5(b)(12) and 30.4(c)(8)**

The sponsor may grant credit toward the term of apprenticeship to new apprentices. Credit will be based on demonstration of previous skills or knowledge equivalent to those identified in these standards.

Apprentice applicants seeking credit for previous experience gained outside the supervision of the sponsor must submit the request at the time of application and furnish such records, affidavits, and other documents to substantiate the claim. An applicant who is a veteran and who wishes to receive consideration for military training and/or experience must submit a DD-214. Applicants requesting credit for previous experience 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 sponsor 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 will be advanced to the wage rate designated for the period to which such credit accrues. The Nevada State Apprenticeship Council, via 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 12 - WORK EXPERIENCE - NRS 610.144 and 29 CFR § 29.5(b)(3)**

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

**SECTION 13 - RELATED INSTRUCTION - NRS 610.144 and 29 CFR § 29.5(b)(4)**

Every apprentice is required to participate in coursework related to the job as outlined in Appendix A, with a minimum of 144 hours of related instruction is required for each year of the apprenticeship. Apprentices agree to take such courses as the sponsor deems advisable. The sponsor will secure the instructional aids and equipment it deems necessary to provide quality instruction. Although the apprentice shall not pay for costs of training, the sponsor may require apprentice to pay the costs of his or her books, tools and any license required to work in occupation. In cities, towns, or areas having no vocational schools or other schools that can furnish

related instruction, the sponsor may require apprentices to complete the related instruction requirement through electronic media or other instruction approved by the Registration Agency.

Apprentices may or may not be paid for hours spent attending related instruction classes, based on each individual employer acceptance agreement (see Appendix E).

The sponsor will inform each apprentice of the availability of college credit (if applicable).

Any apprentice who is absent from related instruction will satisfactorily complete all coursework missed before being advanced to the next period of training. In cases of failure of an apprentice to fulfill the obligations regarding related instruction without due cause, the sponsor will take appropriate disciplinary action and may terminate the apprenticeship agreement after due notice to the apprentice and opportunity for corrective action.

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

The sponsor will secure competent instructors whose knowledge, experience, and ability to teach will be carefully examined and monitored. The sponsor may require the instructors to attend instructor training to meet the requirements of NRS 610.144 and 29 CFR § 29.5(b)(4)(i)(ii) or state regulations.

#### **SECTION 14 - SAFETY AND HEALTH TRAINING - NRS 610.144 and 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 Administration standards promulgated by the Secretary of Labor under 29 U.S.C. 651 et seq., as amended, or state standards that have been found to be at least as effective as the federal standards.

#### **SECTION 15 - MAINTENANCE OF RECORDS - NRS 610.144 and 29 CFR §29.5(b)(6), 29.5(b)(23), and 30.8**

Program sponsors are responsible for maintaining, at a minimum, the following records:

- summary of the qualifications of each applicant;
- basis for evaluation and for selection or rejection of each applicant;
- records pertaining to interview;
- the original application;
- records of each apprentice's OJL;
- related instruction reviews and evaluations;
- progress evaluations;
- record of job assignments, promotions, demotions, layoffs, or terminations, rates of pay; and
- any other actions pertaining to the apprenticeship.

Program sponsors will also maintain all records relating to apprenticeship applications (whether selected or not), including, but not limited to, the sponsor's outreach, recruitment, interview, and selection process. Such records will clearly identify minority and female (minority and

nonminority) applicants and must include, among other things, the basis for evaluation and for selection or rejection of each applicant. For a complete list of records that each sponsor is required to maintain under NRS 610.144 (please refer to NAC 610.910) and 29 CFR § 30 (please refer to 29 CFR § 30.8).

All such records are the property of the sponsor and will be maintained for a period of five years from the date of last action. They will be made available to the Registration Agency upon request.

**SECTION 16 - CERTIFICATE OF COMPLETION OF APPRENTICESHIP - NRS 610.120 and 29 CFR § 29.5(b)(15), and Circular 2015-02**

Upon satisfactory completion of the requirements of the apprenticeship program as established in these Standards, the sponsor will so certify to the Registration Agency and request the awarding of a Certificate of Completion of Apprenticeship to the completing apprentice(s). Such requests may be completed electronically using the Registered Apprenticeship Partners Information Data System (RAPIDS) or its successor, or in writing using the supplied U. S. Department of Labor, ETA, Office of Apprenticeship, Application for Certification of Completion of Apprenticeship Form in (Appendix B), accompanied by the appropriate documentation for both on-the-job learning and the related instruction as may be required by the Registration Agency.

**Certificate of Training**

A Certificate of Training may be requested from and issued by the U.S. Department of Labor's Office of Apprenticeship, Office of the Administrator (the Registration Agency), only for a registered apprentice who has been certified by the sponsor as having successfully met the requirements to receive an interim credential as identified in these standards. The Registration Agency may require that a record of completed OJL and related instruction for the apprentice accompany such requests.

**SECTION 17 - NOTICE TO REGISTRATION AGENCY - NRS 610.160 and 29 CFR §§ 29.3(d), 29.3(e), and 29.5(b)(19)**

The Nevada State Apprenticeship Council, via the Registration Agency, must be notified within 45 days of any apprentice action—for example, registered, reinstated, extended, modified, granted credit, completed, transferred, suspended, cancelled—and a statement of the reasons for such actions.

**SECTION 18 - REGISTRATION, CANCELLATION, AND DEREGISTRATION - NRS 610.095, NRS 610.180, and 29 CFR §§ 29.5(b)(18), 29.8(a)(2), and 29.8(b)(8)**

These standards will, upon adoption by the sponsor, be submitted to the Nevada State Apprenticeship Council for approval. Such approval will be required before implementation of the program.

The sponsor reserves the right to discontinue at any time the apprenticeship program set forth herein. The sponsor will notify the Nevada State Apprenticeship Council via Registration Agency within 30 days in writing of any decision to cancel the program.

The Nevada State Apprenticeship Council may initiate deregistration of these standards for failure of the sponsor to abide by the provisions herein, including NAC 610 and NRS 610. Such deregistration will be in accordance with the Registration Agency's regulations and procedures.

The sponsor will notify each apprentice of the cancellation of the program and the effect of same. If the apprenticeship program is cancelled at the sponsor's request, the sponsor will notify the apprentice(s) within 15 days of the date of the Nevada State Apprenticeship Council's acknowledgment of the sponsor's request. If the Nevada State Apprenticeship Council orders the deregistration of the apprenticeship program, the sponsor will notify the apprentice(s) within 15 days of the effective date of the order. This notification will conform to the requirements of NAC 610 and 29 CFR § 29.8.

**SECTION 19 - AMENDMENTS AND MODIFICATIONS - NRS 610.150 and 29 CFR § 29.5(b)(18)**

These standards may be amended or modified at any time by the sponsor, 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 Nevada State Apprenticeship Council 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 20 - ADJUSTING DIFFERENCES; COMPLAINT PROCEDURE - NRS 610.180 and 29 CFR § 29.5(b)(22), 29.7(k), and 30.11**

The sponsor will have full authority to enforce these standards. Its decision will be final and binding on the employer, the sponsor, and the apprentice, unless otherwise noted below.

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

If an applicant or an apprentice believes an issue exists that adversely affects their participation in the apprenticeship program or violates the provisions of the apprenticeship agreement or standards, the applicant or apprentice may seek relief through one or more of the following avenues, based on the nature of the issue:

**NRS 610.180 and 29 CFR § 29.7(k)**

The sponsor will hear and resolve all complaints of violations concerning the apprenticeship agreement and the registered apprenticeship standards for which written notification is received within 10 days of the alleged violations. The sponsor will make such rulings as it deems necessary in each individual case within 30 days of receiving the written notification. Either party to the apprenticeship agreement may consult with the Nevada State Apprenticeship Council 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 dispose of complaints, as specified in Appendix B:

**XYZ COMPANY**

**NAME**

**ADDRESS**

**EMAIL, PHONE NUMBER**

*(This is also the same information that will go in highlighted area of Appendix B)*

### **NRS 610.180 and 29 CFR § 30.11**

Any apprentice or applicant for apprenticeship who believes that they have 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 their selection have not been followed in the operation of an apprenticeship program may, personally or through an authorized representative, file a complaint with the Nevada State Apprenticeship Council, via Registration Agency or, at the apprentice or applicant's election, with the 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 person allegedly discriminated against, the program sponsor involved, and a brief description of the circumstances of the failure to apply the equal opportunity standards provided in NRS 610.144 and 29 CFR § 30.

The complaint must be filed not later than 300 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 Nevada State Apprenticeship Council must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Nevada State Apprenticeship Council for good cause shown.

Complaints of discrimination and failure to follow equal opportunity standards in the apprenticeship program may be filed and processed under NRS 610.180 and 29 CFR § 30 and the procedures set forth above. The sponsor shall provide written notice of its complaint procedure to all applicants for apprenticeship and all apprentices.

### **NAC 610.460 Dismissal of apprentice; reconsideration of dismissal; appeal from final decision. ([NRS 610.090](#), [610.140](#), [610.180](#))**

1. A joint committee may cancel an agreement with any apprentice and dismiss them. Upon such a cancellation and dismissal, the joint committee shall serve written notice of the dismissal upon the apprentice and also notify them of the right to request the joint committee to reconsider its decision. Such a notification must be given by certified or registered mail.

2. The apprentice may make such a request by filing a written notice of the request with the joint committee within 30 days after the date on which the notice of dismissal from the program is deposited in the mail.

3. Within 30 days after receipt of a request or at its next scheduled meeting, whichever is sooner, the joint committee shall hold a hearing for the reconsideration. The joint committee shall notify:

(a) The apprentice of the joint committee's final decision upon reconsideration and of the right to appeal from that decision to the Council if the joint committee has affirmed the dismissal; and

(b) The Council of the joint committee's final decision upon reconsideration.

4. The joint committee shall prepare a record of the hearing required pursuant to subsection 3 that includes, without limitation, an explanation of the final decision of the joint committee.

5. The apprentice may appeal from the joint committee's final decision to the Council by filing a written notice of appeal with the Council. This appeal must be filed within 30 days after the date on the notice of cancellation from the joint committee.

[Apprenticeship Council, Art. VIII §§ 13 & 17, eff. 9-10-59; A 9-21-63; 5-15-65]—(NAC A 10-15-81; R082-04, 7-13-2004)

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**NVApprenticeship@gov.nv.gov**

### **SECTION 21 - TRANSFER OF AN APPRENTICE AND TRAINING OBLIGATION - NRS 610.090 and 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 committees or program sponsors and must comply with the following requirements:

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

The apprentice must receive credit from the new sponsor for the training already satisfactorily completed.

### **SECTION 22 - RESPONSIBILITIES OF THE APPRENTICE**

Apprentices, having read these standards formulated by the sponsor, agree to all the terms and conditions contained herein and agree to abide by the sponsor's rules and policies, including any amendments, and to serve such time, perform such manual training, and study such subjects as the sponsor may deem necessary to become a skilled journeyworker.

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

- A. 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.
- B. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of fellow workers.
- C. Work for the employer to whom the apprentice is assigned for the duration of the

apprenticeship, unless the apprentice is reassigned to another employer or the apprenticeship agreement is terminated by the sponsor.

### **SECTION 23 - TECHNICAL ASSISTANCE**

Technical assistance, such as that from the U.S. Department of Labor's Office of Apprenticeship, the Governor's Office of Workforce Innovation, and vocational schools, may be requested to advise the sponsor.

The sponsor is encouraged to invite representatives from industry, education, business, private organizations, and public agencies to provide consultation and advice for the successful operation of its training program.

### **SECTION 24 - CONFORMANCE WITH FEDERAL AND STATE LAWS AND REGULATIONS**

No Section of these Standards of Apprenticeship shall be construed as permitting violation of any Federal or Nevada State Law or Regulation.

### **SECTION 25 - COLLECTIVE BARGAINING AGREEMENTS (CBA) – 29 CFR § 29.11**

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

- i. Any apprenticeship provision in any CBA between employers and employees establishing higher apprenticeship standards; or
- ii. 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 26 - DEFINITIONS**

**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 registers with the Registration Agency.

**APPRENTICE ELECTRONIC REGISTRATION (AER/RAPIDS):** An electronic tool that allows for instantaneous transmission of apprentice data for more efficient registration of apprentices and provides program sponsors with a faster turnaround on their submissions and access to their apprenticeship program data.

**APPRENTICESHIP AGREEMENT:** The written agreement between the apprentice and the 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.

**JOINT APPRENTICESHIP TRAINING COMMITTEE (JATC):** Those persons designated by the sponsor to act as agents for the sponsor in the administration of the program. A non-joint committee, which may also be known as a unilateral committee or (if it includes workers' representatives) a group non-joint committee, has employer representatives but does not have a bona fide collective bargaining agent as a participant.

**CAREER LATTICE:** Career lattice apprenticeship programs include occupational pathways that move an apprentice laterally or upward within an industry. These programs may or may not include an interim credential leading to the Certificate of Completion of Apprenticeship credential.

**CERTIFICATE OF COMPLETION OF APPRENTICESHIP:** The credential issued by the Registration Agency to those registered apprentices certified and documented as having successfully completed the apprentice training requirements outlined in these standards of apprenticeship.

**CERTIFICATE OF TRAINING:** A credential that may be issued by the U.S. Department of Labor's Office of Apprenticeship, or by the Governor's Office of Workforce Innovation administrator to those registered apprentices whom the sponsor has certified in writing to the Registration Agency as having successfully met the requirements to receive an interim credential.

**COLLECTIVE BARGAINING AGREEMENT (CBA):** The negotiated agreement between the signatory union and signatory employer(s) that sets forth the terms and conditions of employment.

**COMPETENCY-BASED OCCUPATION:** An occupation using an apprenticeship approach that requires the attainment of manual, mechanical, or technical skills and knowledge, as specified by an occupation standard and demonstrated by an appropriate written and hands-on proficiency measurement.

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

**EMPLOYER:** Any person or organization employing an apprentice, whether or not such person or organization is a party to an apprenticeship agreement with the apprentice. A person, business, or company signatory to this sponsor's standards that is responsible for providing hours of work, supervision, wages, and/or benefits to apprentices in its employ as registered under these standards.

**HYBRID OCCUPATION:** An occupation using an apprenticeship approach that measures the individual apprentice's skill acquisition through a combination of a specified minimum number of hours of on-the-job learning and the successful demonstration of competency as described in a work process schedule.

**INTERIM CREDENTIAL:** A credential may be issued by the Registration Agency, upon request of the appropriate sponsor, as certification of competency attainment by an apprentice.

**JOB CORPS CENTER:** Any of the federally funded Job Corps centers throughout the U.S. and Puerto Rico. Job Corps serves youths and young adults 16-24 years of age. Sponsors that wish to hire Job Corps graduates who are trained in any occupation covered under these standards and who meet the minimum qualifications for apprenticeship may do so via the direct entry provision described in Appendix D: Qualifications and Selection Procedures.



**JOURNEYWORKER/FULLY COMPETENT WORKER:** A worker who has attained a level of skills, abilities, and competencies recognized within an industry as mastery of the skills and competencies required for the occupation. These terms may also refer to a mentor, technician, specialist, or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship or through practical on-the-job experience and formal training.

**O\*NET-SOC CODE (or its successor):** 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 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.

**PROVISIONAL REGISTRATION:** The one-year initial provisional approval of newly registered programs that meet the required standards for program registration, after which program approval may be made permanent, continued as provisional, or rescinded following a review by the Registration Agency, as provided for in NAC 610.357 and 29 CFR §§ 29.3(g) and (h).

**REGISTERED APPRENTICESHIP PARTNERS INFORMATION DATA SYSTEM (RAPIDS) or its successor:** A federal system that provides for the automated collection, retention, updating, retrieval, and summarization of information related to apprentices and apprenticeship programs.

**REGISTRATION AGENCY and FIELD REPRESENTATIVE:** The U.S. Department of Labor's Office of Apprenticeship or the Governor's Office of Workforce Innovation that has responsibility for registering apprenticeship programs and apprentices, providing technical assistance, conducting reviews for compliance with 29 CFR § 29 and 30, and conducting quality assurance assessments.

The field representative shall mean the person designated by Office of Apprenticeship to service this program.

The Registration Agency and field representative identified are:

Governor's Office of Workforce Innovation (OWINN) 702-486-8080

and

U.S. Department of Labor, Office of Apprenticeship 702-388-6396

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

**SPONSOR:** Any person, association, committee, or organization that operates an apprenticeship program and in whose name the program is registered. That assumes the full responsibility for administration and operation of the apprenticeship program.

**STANDARDS OF APPRENTICESHIP:** This entire document, including all appendices and attachments hereto, and any future modifications and additions approved by the Registration Agency.

**SUPERVISOR OF APPRENTICE(S):** An individual designated by the program sponsor to supervise or have charge and direction of an apprentice.

**TIME-BASED OCCUPATION:** An occupation using an apprenticeship approach that measures skill acquisition through the individual apprentice's completion of at least 2,000 hours of on-the-job learning as described in a work process schedule.

**TRANSFER:** A shift of apprenticeship registration 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 committees or program sponsors.

**YOUTHBUILD:** A youth and community development program that addresses core issues facing low-income communities: housing, education, employment, crime prevention, and leadership development. In YouthBuild programs, low-income young people ages 16-24 work toward their high school diploma or General Educational Development (GED) equivalency, learn job skills and serve their communities by building affordable housing, and transform their own lives and roles in society. Sponsors that wish to hire YouthBuild students who are trained in any occupation covered under these standards and who meet the minimum qualifications for apprenticeship may do so via the direct entry provision described in Appendix D: Selection Procedures.

**SECTION 27 - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS**

**Program Sponsor Name** hereby adopts these standards of apprenticeship.

*Sponsor(s) designate the appropriate person(s) to sign the standards on their behalf.*

\_\_\_\_\_  
**Signature of JATC (*designee*)** **Date:** \_\_\_\_\_

\_\_\_\_\_  
**Type Name and Title**

\_\_\_\_\_  
**Signature of Employer (*designee*)** **Date:** \_\_\_\_\_

\_\_\_\_\_  
**Type Name and Title**

