

**AREA II PLUMBERS JOINT  
APPRENTICESHIP & TRAINING COMMITTEE  
POLICIES & PROCEDURES MANUAL**

Revised October, 2012

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## DEFINITIONS

*As used in these chapters, unless the context requires otherwise:*

1. “Apprentice plumber” means any person who is a plumber apprentice under ORS chapter 660 and who is employed by an approved training agent.
2. “Appropriate journeyman plumber” means one or more Oregon certified journeyman plumbers working for the same employing plumbing contractor as the apprentice.
3. “Apprenticeship agreement” means a written agreement between the plumber apprentice and this committee.
4. “Training Agent” means an Oregon registered plumbing contractor whose principal place of business is located within the geographical area of this committee.
5. “Traveling Training Agent” means a state registered plumbing contractor whose principal place of business is not within this committee’s geographical area of jurisdiction; is currently registered as a plumbing training agent in good standing in its home jurisdiction; is approved by this committee to train apprentices.
6. “Direct supervision” means an apprentice working in the physical presence of an appropriate journeyman plumber.
7. “Phased Supervision” means an apprentice plumber who works subject to the supervision of an appropriate journeyman plumber who is immediately available to the apprentice by two-way voice communication devices but not necessarily physically present and the apprentice has been authorized by this committee for phased supervision.
8. “Director” means the State Director of Apprenticeship and Training.
9. “Administrator” means the person contracted by the Area II Plumbers Joint Apprenticeship and Training Committee to administer the clerical, ministerial or other functions as the committee may direct.
10. “Not in Good Standing” means that an apprentice registered with this committee has failed to comply with their responsibilities and duties as outlined in Section 11. Apprentice Duties and Responsibilities.
11. “Notice to Appear” is a requirement from the committee for the apprentice or training agent/traveling training agent to appear at its next meeting. If you are unable to appear, through no fault of your own, a letter of explanation is required. It must be mailed or faxed to the committee’s administrator at least 24-hours prior to the scheduled “Notice to Appear” date and time.
12. “Proposed Cancellation Notice” is a requirement for the apprentice or training agent/traveling training agent to appear in person and show cause why the agreement should not be canceled.
13. “Cancellation Notice” means cancellation of an apprentice’s or training agent/traveling training agent’s agreement for failure to comply with committee standards and/or policies & procedures. A “Cancellation Notice” issued by the committee, not be request of either the apprentice or the training agent/traveling training agent, may be appealed by filing a

written complaint with the Director, Apprenticeship and Training Division, Oregon Bureau of Labor and Industries within 60 days from the receipt of the "Cancellation Notice."

## 1. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of this committee that any committee member, training agent, or representatives who act on behalf of the committee, its training agents, or representatives shall:

Provide equal opportunity in the recruitment, selection, employment and training of apprentices without regard to race, color, religion, sex, sexual orientation, national origin, marital status, age (where the individual is 18 years or older), expunged juvenile record, family relationship, opposition to safety and health hazards, mental or physical disability or association with anyone of a particular race, color, sex, sexual orientation, national origin, marital status, age or religion and;

Provide a workplace or training site free from harassment of any kind, including but not limited to sex, sexual orientation, race, color, religion, national origin, political affiliation, marital status, age, mental or physical disability or association with anyone of a particular sex, sexual orientation, race, color, age, national origin, political affiliation, marital status or religion and uniformly apply rules and regulations concerning harassment to all employees.

Unwelcome verbal and physical advances, requests for favors and other verbal and physical conduct constitutes harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment/training.
- b. Submission or rejection of such conduct by an individual is used as a basis for an employment/training decision affecting the individual, or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working or training environment.

Uniformly apply rules and regulations concerning, but not limited to, equality of wages, periodic advancement, promotion, job performance, rotation among all work processes of the trade, assignment of work, imposition of penalties or other disciplinary matters and all other aspects of the administration of this apprenticeship program to all apprentices during their apprenticeship according to the United States Code, Code of Federal Regulations and Oregon State Law.

## 2. POLITICAL ACTIVITY

2.1 It is a violation of ORS 260.432, the Little Hatch Act, or ORS 260.655, undue influence, for any committee member or delegates that act on behalf of a committee, to direct apprentices of any committee to perform political activities of any sort or to make progress in or retention in an apprenticeship program, dependent on the performance of such activities. Political activities can include, but are not limited to, posting flyers, placing yard signs, working on phone banks, mailings, collecting funds, etc.

2.2 Any complaint by an apprentice regarding involuntary political activity, retaliation against an apprentice for refusal to participate in political activity or for reporting to ATD an attempt to

require political activity, will be immediately investigated by ATD. ATD shall report to the Oregon State Apprenticeship and Training Council the findings of their investigation of appropriate action by the Council.

- 2.3 Violations of the policy could result in corrective action by the Council up to and including dissolution of the committee and election violation charges being filed against the individuals involved.

### 3. COMMITTEE COMPOSITION

- 3.1 The committee shall consist of no more than eight (8) principal members and shall consist of an equal number of representatives' of employers and employees.
- 3.2 Alternate committee members: There shall be one (1), but no more than one (1) alternate committee member for each principal committee member.
- 3.3 There shall be elected by the committee, a chair and a secretary from the committee members.
- 3.4 The Chair shall preside over the meetings and oversee operation of the committee.
- 3.5 The Secretary has the responsibility to ensure that accurate records of all committee meetings are maintained and that copies are submitted to the Apprenticeship and Training Division (ATD aka Division).
- 3.6 The Chair or Secretary shall serve for no less than one (1) year and no more than two (2) successive years without a majority secret ballot election.
- 3.7 When a vacancy occurs, the respective employer or employee members shall elect from their representation a replacement to serve the unfilled term of an office.
- 3.8 Removal of committee members: Committee members will be removed for inactivity (i.e.; a member who fails to attend three (3) consecutive committee meetings) failure to abide by ORS 660, OAR 839-011 or the Policies and Procedures of this committee and/or the Oregon State Apprenticeship and Training Council (OSATC aka Council). Council may remove committee members for failing to abide by their statutory duties or based upon the recommendation of the committee. Only employer committee members may recommend and vote upon employer members. Only employee members may recommend and vote upon employee members.

### 4. QUORUM

- 4.1 A quorum for the transaction of committee business shall consist of at least two (2) employer and two (2) employee representatives.

## 5. MEETING SCHEDULE

- 5.1 The committee will meet at least quarterly in January, April, July and September. The actual date of the next regular meeting will be designated at each committee meeting. January and July are the designated evaluation meeting months to consider apprentice advancement (re-rates) in the apprenticeship program.
- 5.2 The Chair may call special committee meetings.
- 5.3 Special meetings may be called at the request of a majority of the principal committee members.
- 5.4 Any business that a training agent/traveling training agent or applicant for either position, apprentice or apprentice applicant wishes to bring before the committee must be submitted to the administrator's office no less than ten (10) days before the meeting. No matter will be considered or acted upon unless it complies with this policy.

## 6. COMMITTEE RESPONSIBILITIES

- 6.1 This committee is responsible for operating under ORS 660 Apprentices and Trainees Statutes, OAR 839 Division 11 Administrative Rules, OSATC policies and directives, and Roberts Rules of Order.
- 6.2 Committee responsibilities under the statutes, rules, policies, and directives as named in 5.1 include:
  - a. Propose to the council standards for the Area II Plumbers JATC program, which are in substantial conformity with ORS 660.126 and with the uniform standards, if any, adopted by the State Plumbers Joint Apprenticeship Committee, and recommend to the council modifications of the standards;
  - b. Administer its program in conformity with its approved standards with the provisions of ORS 660.137, and with the rules and policies of the council. Particularly, the committee shall:
    1. Maintain records of all apprentices in its program for five (5) years with respect to work experience, instruction on-the-job, attendance at related instruction and progress, and other such records as may be appropriate or required, and shall submit such reports as the council or appropriate governmental agencies may require;
    2. Submit to the State Plumbers Joint Apprenticeship Committee appropriate requests for changes in courses of study for the instruction of apprentices; and
    3. Be responsible for the recruitment, qualification, selection, approval and registration of apprentices entering the program, including the evaluation of previous creditable work experience, education and training for which

advanced credit must be given; provided, however, that advanced credit may be given for such creditable experience, education and training.

4. Be responsible for apprentices receiving necessary on-the-job and related instruction, and for all apprentice agreements being promptly registered with the council.
- c. Review and evaluate, at least semiannually, the progress of each apprentice, as to job performance and related instruction, and consistent with the skill acquired, accordingly advance the apprentice to the next level of apprenticeship or hold the apprentice at the same level for a reasonable period, and with reasonable opportunity for corrective action, or terminate the apprentice from the program for serious or continued inadequate progress and notify the Apprenticeship Training Division of the Bureau of Labor and Industries (ATD) of the action taken. The council and the appropriate employer shall also be notified of each re-rating and of the apprentice's new level on the wage schedule. Recognition for successful completion of the apprenticeship shall be evidenced by an appropriate certificate issued by the council.
- d. Determine the qualifications, minimum facilities and training conditions required of an employer to serve as an approved training agent, and approve training agents accordingly; make periodic checks of approved training agents to assure there is qualified training personnel and there is adequate supervision on-the-job, adequate and safe equipment and facilities for training and supervision, and safety training for apprentices on-the-job and in related instruction; and withdraw approval of training agents when the qualifications are no longer met or when it appears to the committee the employer is in violation of the terms of an apprenticeship agreement, committee standards, provisions of ORS 660.126 or the policies of the council or this committee.
- e. Determine and re-determine at least annually the average journeyman hourly rate of wage for the purposes of ORS 660.143 and submit such rate to the director of ATD, along with a statement explaining how such determination was made. Employers who fail or refuse to provide this committee with the information requested on the annual average journeyman hourly wage survey shall be terminated as approved training agents. The committee shall retain all records from which a wage determination was made for inspection by the council as required by law.

## 7. SELECTION PROCEDURE

7.1 The committee establishes a ranked list from those qualified individuals who applied when the program is accepting applications.

### 7.2 Placement List

- a. An accepted Placement List will be established consisting of the top applicants in the Ranked Pool of Eligibles.

- b. The number of applicants to be placed on the accepted Placement list will be determined when the program opens for applications by calculating 20% of the number of apprentices registered to the occupation in the previous 12 months or 10 applicants, whichever is greater. When the number of applicants on the accepted Placement List falls to 50%, the list will be replenished from the ranked Pool of Eligibles to its original number.
- c. Applicants placed on the accepted Placement List will retain their position on the list until registered, or for the remainder of their 2-year eligibility.
- d. Former apprentices who apply during a program opening will be accepted if they meet the current minimum qualifications. They will be placed on the bottom of the out-of-work list per the selection procedure. Former apprentices who have been cancelled from the program for cause may not reapply for a period of one year from the date of their cancellation. They must meet the current minimum qualifications for the program at the time they reapply.

### 7.3 Placement Process

- a. Training agents may choose one (1) applicant by name from the accepted Placement List. Their next new apprentice must be selected from the top of the accepted Placement List.
- b. The training agent may then alternate between the top of the accepted Placement List.
- c. Training agents will have first opportunity to register current employees on the accepted Placement List.

### 7.4 Exceptions

- a. Currently registered apprentices who have earned at least 1,000 on-the-job training hours and 48 hours of related training in a registered SAC or BAT Plumbing program, may be permitted to enter this program, as far as practical, and continue their training by being placed at the bottom of the out-of-work list, providing the applicants met the current minimum qualifications and are in good standing with their current program.
- b. Experienced apprentices who gained their experience in this apprenticeship program and left in good standing may reapply to this program at any time if they:
  1. Gained their experience within 24 months prior to making application;
  2. Completed at least 1,000 on-the-job training hours within the previous 24 months; and
  3. Meet current minimum qualifications of this program. Individuals qualifying under this exception will be placed at the bottom of the out-of-work list.



- c. Pre-Apprenticeship Program Graduates. The committee will approve the direct referral into apprenticeship openings of graduates successfully completing jointly OSATC and committee approved pre-apprenticeship programs if they met the minimum qualifications. This priority is granted by the committee without regard to established eligibility lists or the necessity of requiring these pre-apprenticeship graduates to further qualify by complying with application openings. Such priority will be granted without regard to race, color, religion, national origin or sex. Qualified individuals will be placed on the bottom of the out-of-work list.
- d. Training Agent. If an employer has not participated in the training of a Plumber apprentice under ORS Chapter 660 during the preceding two (2) years, the employer may select apprentices from those employees who have been on the employer's payroll for at least three (3) months and documented 300 paid work hours prior to the employer's application for an apprentice, provided the employees meet the minimum qualifications.

## 8. REGISTRATION

- 8.1 The date of registration and the effective date of indenture for a new apprentice registration agreement is the date ATD receives the fully executed agreement and the committee minutes recording the indenture of the apprentice.
- 8.2 Apprentices will be registered to this committee and not to any one training agent. This permits transferring the apprentice to any of the approved training agents/traveling training agents to provide at least 7,700 of the on-the-job training hours in the required work processes.
- 8.3 Credit for Prior Experience
  - a. Apprentices who provide a certificate of completion from the Mid-Valley Steamfitters/Pipefitters Joint Apprenticeship Committee, upon apprentice's request, will be granted 4,000 on-the-job training hours and be placed in the third year of related training.
  - b. All other apprentices to qualify for advanced progression for creditable work experience, education, and training, following registration, you must provide the following documents and the request must be made following the outlined procedures:
    - 1. Provide documentation of previous registration in State/Federal plumber/pipefitter apprenticeship program.
    - 2. Upon successful completion of the probationary period, submit a written request for advanced progression to the committee's administrator with your training agent's recommendation;

3. The apprentice and his/her registered training agent must be present at the designated meeting for the request to be considered;
4. All claims for progression in the program will be considered on the basis of its applicability to the requirement for advancement in this program; and
5. Granted progression in the program will be effective the first month after the request is approved by the committee.

## 9. INITIAL EMPLOYMENT PROCEDURE AND DISPATCHING

### 9.1. Issuance of Initial Plumber Apprenticeship License:

- a. Upon registration and prior to employment of an apprentice applicant; the committee will submit the original fully executed apprenticeship agreement to the ATD office where the initial license will be issued for those applicants who are taken from the ranked pool of eligibles; and
- b. The committee minutes reflecting formal registration will be submitted to ATD within ten (10) days of the committee meeting.

### 9.2. Process and Procedure for Placement of Applicants

- a. Applicants will be placed by the committee's administrator.
- b. For placement, the committee administrator must attempt to contact the first applicant on the Placement List by telephone for two (2) consecutive working days before going to the next applicant on the list. This procedure will be repeated with each subsequent applicant on the list until a successful placement has been made.
- c. The applicant has twenty-four (24) hours to respond to an apprenticeship job opportunity.
- d. Applicants will be allowed up to two (2) weeks (to give his/her current employer notice of termination) before being placed.
- e. Applicants will be removed from the lists:
  1. If they fail to maintain their current mailing address and message numbers with the committee's administrator.
  2. If they refuse two (2) apprenticeship job opportunities.
  3. If they have been denied employment by two (2) training agents for documented, bona fide occupational requirements.

4. When the ranked pool of eligibles list is six (6) months old, each applicant remaining will be mailed a certified letter asking if he/she wishes to remain on the ranked list or to be removed. Those who affirm withdrawal will be officially removed from the ranked pool of eligibles list by committee action.
  5. After a period of two (2) years (the initial date for the valid ranked list of eligibles begins the date of approval) those remaining on the list will be notified that they no longer are eligible for placement. If they choose, they may reapply at the next opening.
- f. Applicants that have been removed may be restored to the rank pool of eligibles list if they:
1. Voluntarily withdraw by written request; the committee may restore to the list of eligibles an applicant who has withdrawn from the list at his/her request providing the applicant's application is less than two (2) years old, the applicant may make a written request and shall appear at a meeting of the committee to seek reinstatement.
  2. Involuntary withdrawal (9.2.e. 1-3): Applicants who have been removed from the ranked list must reapply when the program is open to accept applications.
- 9.3. Out-of-Work Apprentices. Apprentices will be given the opportunity for employment in descending order, based on the first apprentice on the out-of-work list in accordance with section 11.1(g) and 18.1(f).
- a. Training agents requesting employment of apprentices will be afforded the opportunity to employ out-of-work apprentices before employing an applicant.
  - b. Applicants will be removed from the out-of-work list:
    - i. If they fail to maintain their current mailing address and message numbers with the committee's administrator.
    - ii. If they refuse two (2) apprenticeship job opportunities.
    - iii. If they have been denied employment by two (2) training agents for documented, legitimate occupational requirements.

## 10. PROBATIONARY PERIOD

- 10.1. The probationary period shall be the first period of apprenticeship (1,000 on-the-job hours) after registration occurs. During such period, either the apprentice or this committee may terminate the apprenticeship agreement upon written notice to ATD. Suspension of the apprentice's agreement will not be approved during the probationary period.

- 10.2. The committee may terminate an apprentice's agreement during the probationary period if he/she fails to comply with any of the following:
- a. Work for a non-approved training agent;
  - b. Failure to register for related training;
  - c. Failure to successfully complete the first term of related training;
  - d. Miss related training classes except for good cause; and
  - e. Failure to submit timely monthly work progress reports (M.W.P.R.'s) with supporting payroll documentation.

## **11. APPRENTICE DUTIES AND RESPONSIBILITIES**

- 11.1. Duties. An apprentice registered with this committee is required to do the following:
- a. Work at all times subject to the supervision of an appropriate journeyman plumber.
  - b. Sign the "Acknowledgment of Receipt", which will be placed in your file to document that you have receipt of:
    - 1. Copy of your apprenticeship agreement.
    - 2. Apprenticeship Standards for the program;
    - 3. Committee Policies and Procedures;
    - 4. Apprentice responsibilities
    - 5. Complain Resolution Procedure
  - c. Develop and practice safe work habits;
  - d. Attend all scheduled related training classes. Related training classes begin the first September following registration of the apprentice's agreement;
  - e. Keep the committee informed of your current address and message phone;
  - f. Work only for an employer approved by this committee. Working as a plumber apprentice for a plumbing contractor who is not approved by this committee, and performing any work within the scope of the licensing law, while employed by a non-approved training agent, is a violation of the apprentice license. An apprentice who violates this rule will be issued a "Proposed Cancellation Notice," and could result in disciplinary action that may terminate your apprenticeship agreement.

- g. Notify this committee's administrator within 24-hours of being unemployed and provide a reason for being unemployed.
- i. Out-of-Work Apprentices: Apprentices (in good standing) will be given the opportunity for employment in descending order, based on the first apprentice on the out-of-work list.
  - 1. Training Agents requesting employment of apprentices will employ out-of-work apprentices (in good standing) before employing an apprentice from the ranked list of eligibles.
  - 2. Apprentices shall actively seek employment when on the out-of-work list. An apprentice who fails to maintain employment may be cited to appear before the committee to discuss the sufficiency of their job-seeking effort.
  - 3. Prior to an out-of-work apprentice and/or apprentice applicant being employed, the committee's administrator will verify that the employing training agent has the correct ratio of journeymen to apprentices.
  - 4. An apprentice will be removed from the out-of-work list and may be cancelled from the program for willful failure to maintain employment.
  - 5. An apprentice may be removed from the out-of-work list, suspended or removed from related training classes for failure to maintain employment in the industry.
  - 6. An apprentice who fails to notify the administrator within two business days of being out-of-work may be cancelled from the program.
  - 7. An apprentice who transfers training agents without notifying the administrator within 24-hours of said transfer may be cancelled from the program.
- ii. Apprentices will be removed from the out-of-work list and will no longer be considered "in good standing" if:
  - 1. They fail to maintain their current mailing address and message numbers with the committee's administrator.
  - 2. They fail to communicate or to respond to the committee or the Administrator.
  - 3. They refuse two (2) apprenticeship job opportunities.
  - 4. They have been denied employment by two (2) training agents for documented, legitimate occupational requirements.

5. They failed to achieve a grade of 'C' or better in Related Training.
  6. They do not enroll for school by the deadline.
  7. They do not attend scheduled related training courses.
  8. They miss more than three (3) classes per term.
  9. They fail to submit their MWPR by the 15<sup>th</sup>.
  10. They received more than one notice to appear in a six (6) month period.
  11. They have been unemployed for more than six (6) months straight.
  12. They take any action that can be cause for cancellation as described in Area II Plumbers JATC Policies & Procedures.
  13. They are on Disciplinary Probation for any reason.
- h. Apprentices will not be permitted to own, manage, or supervise the plumbing business where the apprentice receives on-the-job training hours. Failure to abide by this policy will result in a "Proposed Cancellation Notice" to both apprentice and the concerned training agent.
- i. Because this is a licensed trade, apprentices will not be allowed to "moonlight or work on the side" in this trade or a related industry. Any apprentice who violates the state plumbing or contractor licensing law will be issued a "Proposed Cancellation Notice" to discuss the apprentice's continuation in the program.

#### 11.2. Partial Rotation of Apprentices

- a. All apprentices must obtain work experience of 100% of the required-hours for each work process as stated in this committee's approved apprenticeship standards and outlined in OAR 918.695.0030 (Oregon Administrative Rules). An apprentice cannot be completed from the program until they have obtained a minimum of 7,700 hours with 100% of each work process fulfilled.

#### 11.3. Monthly Work Progress Report (M.W.P.R.)

- a. As a registered apprentice, you must complete an M.W.P.R. once each month, whether or not you are working, to maintain continuity of your training experience.
- b. Complete ALL information requested on the M.W.P.R. Total all hours to date and check calculations for accuracy before submitting.

- c. Include a copy of your payroll record for the month (hours worked/pay received, apprentice/employer's name included on the payroll record).
- d. Make sure each M.W.P.R. form is signed (original signature) by you and your employer or supervising journeyman. (Xeroxed employer or supervising journeyman signatures are not acceptable).
- e. Mail or fax the completed M.W.P.R. to the committee's administrator by the first day of the following month, to be received NO LATER THAN THE 15<sup>TH</sup> DAY.
- f. Maintain a copy of the completed form for your records.
- g. Punitive Action for Filing Late Monthly Work Progress Reports –
  - 1. The first violation of filing a late monthly work progress report (M.W.P.R.) may result in the apprentice losing a re-rate;
  - 2. The second violation, the apprentice will lose a re-rate, be placed on probation for six (6) months, be removed from the out-of-work list (if on it) and may not recover lost re-rate; and
  - 3. A third violation may result in cancellation of the apprentice's registration.

#### 11.5. Related Training

- a. Related training is classroom instruction that is scheduled for 165 hours per year. Related training is held fall (66 hours), winter (66 hours), and spring (33 hours) terms at Chemeketa Community College – Salem Campus.
  - 1. The apprentice must meet the minimum requirement of 156 related training hours each of the four years of apprenticeship. If the apprentice falls below this requirement, the lost hours must be made up with approval from the committee/instructor.
  - 2. Classes may be missed only for good cause (i.e., immediate family death, accompanied by obituary notice; illness or injury, accompanied by a letter from the attending doctor).
  - 3. For all absences (3 per school year) the apprentice must submit a written notice to the committee's administrator, which includes the following:
    - (a) Date of the absence;
    - (b) Reason for the absence;
    - (c) Apprentice's signature;
    - (d) Employer's signature;
    - (e) Instructor's signature; and/or
    - (f) Supporting documents as stated in (2.) above.

In addition, each instructor will report the absence to the committee, and a letter will be sent to the apprentice for the reported absence. On the third absence, a letter will be sent to the Training Agent for notification and both the apprentice and employer will be cited to appear before the committee.

- b. Home/Online schooling is for the benefit of those residing outside of LINN, MARION, BENTON, AND POLK counties.
- c. Tuition is set by the community college or the firm providing the instructional courses.
- d. Related Training Registration dates are defined by the local community college (Chemeketa).
- e. For Apprentices who have completed the related training requirements, but not the on-the-job training requirements, a 33-hour code review course shall be required each year the apprentice is registered in the program.
- f. An apprentice must obtain a minimum grade of “C” for each term of related training. Failure to do so will result in:
  - 1. Cancellation of the apprenticeship agreement during the probationary period.
  - 2. Apprentice’s who have progressed beyond the probationary period and do not obtain a minimum grade of “C” in either fall or winter/spring term, will be required to repeat the failed term. This is necessitated by the fact that all related training terms are presented consecutively for the year – fall, winter, and spring with no opportunity to repeat a failed term until the related training year is repeated.
  - 3. Removal from the out-of-work list;
  - 4. No advancement in the program will be granted until successful completion of the failed related training. No related training will be repeated more than once with the possible exception of the fourth (4<sup>th</sup>) year of related training.

#### 11.6. Re-Rates

- a. Apprentices are evaluated monthly (but at least two times per year). Training agent and instructor’s evaluations will be considered in the committee’s evaluation. Apprentices who receive successful evaluations may be advanced to the next period of the program—see 11.6. (c.) all requirements.
- b. The effective date for advancement and commensurable wage is the first the month following the rerate decision.
- c. The following criteria must be met in each six (6) month period under review to be eligible for a re-rate and commensurable wage:



1. A minimum of 800 hours of on-the-job training;
  2. A minimum grade requirement of "C";
  3. A recommendation for advancement from the apprentice's instructor;
  4. A recommendation for advancement from the apprentice's training agent; and
  5. All M.W.P.R.s for the preceding six (6) month period in question with supporting payroll records submitted according to 11.3.
- d. Accelerated advancement (advancement of more than one (1) period) or recovery of a lost re-rate will be evaluated upon a specific employer and instructor recommendation for accelerated advancement or lost re-rate recovery at a January/July evaluation meeting.
1. Apprentices must be present for the committee's consideration of a request for accelerated advancement or recovery of a lost re-rate, unless excused by the committee.

## 12. SUSPENSION

- 12.1. Suspension of an apprentice means that you are considered to have temporarily withdrawn from the program and will be suspended without possessing a valid Plumber Apprentice License during the period of suspension. You may not work in the trade during the period of suspension. You may request a suspension only if:
  - a. You are not able to work at the trade, and/or
  - b. Unable to Attend related training.
  - c. Military deployment
- 12.2. An apprentice who seeks a suspension from active participation in the program must:
  - a. Submit such a request in writing, accompanied by your current Plumber Apprentice License, to the Administrator, and
  - b. If at all possible, attend the committee meeting where your request will be considered.
- 12.3. The program administrator will notify you of the date, time and place of the next committee meeting.
- 12.4. The committee will grant a suspension for:
  - a. A maximum six (6) month period, and
  - b. Only one suspension in any 12-month period.
- 12.5. If the suspension is not approved, the requesting apprentice will be issued a "Proposed Cancellation Notice."

## 13. NOTICE TO APPEAR/PROPOSED CANCELLATION/FINAL CANCELLATION

- 13.1. A notice to Appear by the JATC requesting your appearance at a meeting means you must attend unless the problem is resolved prior to the meeting date and you are excused by a JATC member or the program coordinators.
- 13.2. Failure to appear or correct the problem will result in your being issued a Proposed Cancellation. Your attendance is then mandatory.
- 13.3. You may be issued a Final Cancellation at the next meeting of the JATC if you fail to appear as requested for a Proposed Cancellation.
- 13.4. If you are cancelled from the program for cause, you may not apply to re-enter the program for a period of one year. You must wait for a program opening to reapply and must meet current minimum qualifications.

13.5. An apprentice cancelled for cause will not be permitted to register in this program for a minimum of one (1) year from the effective date of cancellation.

13.6. POSSIBLE CAUSES FOR CANCELLATION:

- a. Absenteeism or tardiness from school (3 per year) or work (employer defined)
- b. Scholastic failure; a test average of 75% is required to pass a term. Failure of two terms is cause for immediate cancellation.
- c. Unsatisfactory job performance, and/or termination for cause by an employer
- d. Irresponsible acts, falsification, cheating, insubordination or severe attitude problems
- e. Repeated or continuous job and/or school problems
- f. Repeated or continuous job and/or school problems
- g. Use of, or under the influence of, alcohol or controlled substances on school property or job site
- h. Failure to comply with plumbing industry drug-free workplace program
- i. Refusal to travel within the geographical jurisdiction
- j. Violation of zero-tolerance computer use policy
- k. Violation of these rules or refusal to sign required paperwork

## 14. PHASED SUPERVISION

As an apprentice advances in the program, the supervision of the apprentice may be varied depending on the apprentice's abilities and needs for on-the-job training experience. This will be determined by committee in concert with the training agent and related-training instructor.

14.1. Requirements for Phased Supervision

- a. The apprentice's training agent seeking phased supervision approval must make application on a form provided by the Administrator;
- b. The apprentice must have maintained a minimum 2.0 GPA, and be successfully completing the current courses at the time of application.
- c. The apprentice must receive the recommendation of:

1. The Apprentice's supervising journeyman plumber; and/or
  2. The Apprentice's training agent
- d. The apprentice will be required to demonstrate to the committee's satisfaction sufficient on-the-job experience in the specific work categories requested.

14.2. Requirements

- a. The apprentice is required to:
  1. Maintain a logbook showing the daily meetings with an appropriate journeyman plumber, including:
    - (a) Name of the appropriate journeyman plumber;
    - (b) Place of the meeting;
    - (c) Time of the meeting; and
    - (d) Any other specifics, which may be germane to the functions of supervision
  2. The logbook shall be made available upon demand for the review by:
    - (a) This committee or its designated representative;
    - (b) Any Construction Contractors Board Inspector;
    - (c) Any local or state plumbing inspector;
    - (d) Any official of the State Building Codes Division; and
    - (e) Any official of the Apprenticeship & Training Division of the Bureau of Labor and Industries.
- b. Meet with an appropriate journeyman plumber at least once each day to go over work done by the apprentice, with the meeting taking place preferably at the immediate work site.
- c. In the physical absence of the appropriate journeyman plumber, the apprentice must have two-way voice communication within any 15-minute period for advice and direction.

14.3. Scope of Activities

1. Only one (1) apprentice plumber is allowed to work who has been issued one of the following phased supervision licenses:
  - (i) "Phase One Plumber Trainee License" Water heater replacement or conversion after completing at least six months of apprentice training; eight hours of related training in the type of work, documentation of training and successful evaluation from the JATC in the type of work.
  - (ii) "Phase Two Plumber Trainee License" Engages in work covered in subparagraph (i) of this paragraph and water heater replacement or conversion, Ordinary minor repairs as defined in OAR 918-780-0120 in a one- or two-family dwelling,

completing at least three periods of apprentice training; receiving related training, and successful evaluation from the JATC in the type of work.

- (iii) “Phase Three Plumber Trainee License” Engages in work covered by subparagraphs (i) to (ii) of this paragraph and: water heater replacement or conversion, ordinary minor repairs as defined in OAR 918-780-0120 in a one- or two-family dwelling, general repairs maintenance and replacement of existing plumbing, completing at least four periods of apprentice training; appropriate training, and successful evaluation from the JATC in the type of work.
- (iv) “Phase Four Plumber Trainee License” Engages in work covered by subparagraphs (i) to (iii) of this paragraph and water heater replacement or conversion, ordinary minor repairs as defined in OAR 918-780-0120 in a one- or two-family dwelling, general repairs maintenance and replacement of existing plumbing, new or remodel installations, completing at least five periods of apprentice training; receiving appropriate training, and successful evaluation from the JATC in the type of work.

#### 14.4. Revocation

A phased supervision card will be revoked if the apprentice is found in violation of:

- a. The phases of work covered, which he/she was granted to perform by this committee;
- b. Fails to maintain a log book; and
- c. Fails to maintain a minimum “C” grade in related training.

### 15. LICENSE EXAM

- 15.1. The committee will refer apprentices to take the Plumber’s State License exam after they have successfully completed the on-the-job and related training requirements of the program.
- 15.2. Prior to being referred for the license exam, an apprentice must achieve:
  - a. Must be in 8<sup>th</sup> Period
  - b. The minimum required total OJT hours (7700 hours)
  - c. At least 50% of the work hours for each process listed in the program standards. When an apprentice is unable to fulfill the total work hours in each work process, the committee will evaluate the apprentice’s knowledge, skills and abilities and provide appropriate additional related instruction to assure that competency is acquired in each work process. The evaluation and summary of the additional instruction will be noted in the apprentice’s file.

- d. Must have Employer's written evaluation on company letterhead or the JATC form
  - e. A Refer to Exam Letter/Agreement must be signed by both the apprentice and the Training Agent.
  - f. Monthly progress reports must be properly completed and current
  - g. All required related training courses must be completed and passed with a grade of "C" or above.
  - h. Tuition for all classes must be paid in full.
  - i. **Apprentice cannot be currently held on disciplinary probation**
- 15.3. After being referred for the State Plumber's License Exam, the apprentice must take the exam within 60 days of receipt of paperwork from the Building Codes Division. If the apprentice does not pass the exam within the first year of being referred, the apprentice will be required to repeat the fourth year of related training. If after repeating the fourth year of related training, the apprentice fails the exam two more times within the first 6 months of being referred, the apprentice will be terminated from the program without receiving a journeyman plumber's license.
- 15.4. When the committee is notified by the apprentice that they have successfully completed the license exam, the committee will complete the apprentice and ATD will issue a certificate of completion.

## 16. COMPLAINT RESOLUTION PROCEDURE

- 16.1. A training agent/training agent applicant or apprentice/apprentice applicant who has a dispute with the program must proceed as follows:
- a. State the grievance in writing and submit the same to the committee's administrator no less than ten (10) days before the next committee meeting date for placement on the agenda;
  - b. Attend the meeting and attempt a resolution of the dispute; and
  - c. The resolution will be communicated to the grievant in person and so noted in the committee minutes.
- 16.2. A training agent /training agent applicant or apprentice/apprentice applicant who has a dispute with the committee will be directed to a neutral body composed of the Apprenticeship Coordinator for Chemeketa Community College, Administrator for Area I Plumbers Joint Apprenticeship Committee and a public member not associated with apprenticeship.

## 17. EMPLOYER'S APPROVAL

17.1. An employer requesting approval as a Training Agent/Traveling Training Agent shall be furnished:

1. Training Agent Application Form;
2. Apprentice/Journeyman Ratio Verification Form;
3. Apprenticeship Standards;
4. Committee Policies and Procedures with Acknowledgment of Receipt form;
5. Committee Selection Procedure;
6. Phased Supervision Application Form;
7. Sample Monthly Work Progress Report Form;
8. Administration Fee Agreement Form;
9. Apprentice Release Form.

17.2. Following are the documents an employer must submit with the application form:

1. Current plumbing contractor's license for the State of Oregon'
2. Current journeyman plumber's license for the State of Oregon with proof the license has been in force for at least one (1) year;
3. Current registration with the Construction Contractors Board;
4. The plumbing contractor must be located within the geographical area of this committee. (Marion, Polk, Linn, Benton, and Lincoln counties; and the south on-half of Yamhill County, Oregon);
5. The contractor must have a publicly listed phone number within the geographical area;
6. Acknowledgment of Receipt – signed by the applicant;
7. Apprentice/Journeyman Ratio Verification Form; and
8. Administration Fee Agreement Form.

17.3. The employer applicant's premises and equipment (excluding traveling training agents) must be reviewed by a member of the committee prior to approval as a training agent to determine that the employer is qualified, has the minimum facilities and training conditions required of an employer to serve as an approved training agent. It is assumed that a traveling training agent has complied with the same or similar conditions with its home apprenticeship committee.

17.4. Training Agent Payment Terms

1. Invoice payments are due by the 5th of the following month. There is no partial billing. Agents will be billed for the entire month the 72 hour notice of termination is received in, not the termination date;
2. All past due accounts will be assessed a late fee in the amount of 1.5% monthly (18 percent annually). Late fees will begin the date following the due date;
3. Training agents whose accounts are 60 days past due will have their training agent status revoked and all apprentices employed by said training agent will be released from the training agent's employ and placed on the out-of-work list;
4. Means will be taken to collect the debt;
5. A training agent deemed to be in arrears will be obligated to pay all attorneys' fees and all other related fees associated with collecting the debt owed. If the account is assigned to collection, 100% of the collection fee will be paid by the debtor. A minimum charge of \$250.00 will be imposed;
6. A training agent whose agreement has been revoked for non-payment will not be allowed to re-apply as a training agent until all applicable past due fees are paid in full; and
7. All training agents who have been terminated for cause must pay a re-instatement training agent application fee in the amount of \$500.00 and their training agent status will be evaluated for approval at the next scheduled apprenticeship committee meeting.
8. All previous approved training agents who took a voluntary withdrawal within five years from the date of initial approval must pay a re-application fee of \$250.00.

## **18. RESPONSIBILITIES OF A TRAINING AGENT/TRAVELING TRAINING AGENT**

- 18.1. Training agents agree to comply with all provision of the Apprenticeship Standards in the areas of:
  - a. Journeyman supervision;
  - b. Payment of wages;
  - c. Adherence of ratio;
  - d. School attendance, by arranging the apprentice's work schedule, which allows the apprentice to attend scheduled related training classes;
  - e. Respond appropriately to an annual wage survey (excluding traveling training agents);



- f. Notification in writing to the committee’s administrator within 72 hours of the release of an apprentice, or when an apprentice leaves their employ, including an explanation in either case.
- 18.2. All applicable plumbing licensing laws for the State of Oregon.
- 18.3. When requesting employment of an apprentice, the training agent is required to complete the journeyman/apprentice ratio verification form and submit it to the Administrator before employing an apprentice.
- 18.4. Every six (6) months evaluate the apprentice(s) in your employ on their past performance and make the evaluation known on the appropriate June and December monthly work progress report form.
- a. Failure to abide by this policy will result in a “Proposed Cancellation Notice” being sent to both the training agent and the apprentice.
- 18.5. A training agent shall not permit an apprentice to manage or supervise the business.
- a. Failure to abide by this policy will result in a “Proposed Cancellation Notice” being sent to both the training agent and the apprentice.
- 18.6. Administrative Fees
- a. This committee and its approved training agents shall be responsible for the administrative cost and expenses associated with the operation of its program. This committee or its registered training agents will not charge or cause charges to be levied against its apprentices for purposes of financially supporting the administrative, clerical or organizational cost of operating its program. This policy does not affect any requirement that a registered apprentice be required to pay the normal cost of tuition for educational services provided by the community college, university, trade school, training center or industry sponsored education facility.
- 18.7. Non-Compliance/Violations
- a. A non-compliance complaint filed with the committee against a registered training agent who violates the committee’s standards and/or policies, will be addressed by the committee.
  - b. The training agent, whom the non-compliance violation was filed against, will be sent a “Notice to Appear” to discuss its continued status as a training agent with the committee.
  - c. If the committee finds the allegation of non-compliance to be factual, the following action will be taken:

1. First Time Violation: Six (6) months of probation and the inability to hire an apprentice during the duration of the probation. Probation begins the date the committee found the training agent in violation.
2. Second Time Violation: An additional six (6) months of probation and the inability to hire an apprentice during the duration of the probation. Probation begins the date the committee found the training agent in violation.
3. Additional violations within a three (3) year period, which begins from the time of the first offense, will result in the training agents' status of approval being revoked for one (1) year and all apprentice's employed by the training agent will be released from the training agent's employ and placed on the out-of-work list.
4. Multiple violations filed at the same time will be considered independently, and the appropriate disciplinary action will be taken by the committee after assessing the findings and severity of all filed violations.

## **19. TRAVELING TRAINING AGENTS/GEOGRAPHICAL JURISDICTION**

Approval for traveling training agents (visiting contractors) and their use of apprentices are pursuant to the following policies and procedures:

- a. The traveling training agent must be registered as a training agent in good standing with a committee in the geographical area where its principal place of business is located.
- b. Traveling training agents must comply with Section 18 (Employer's Approval and Responsibilities of Training Agents / Traveling Training Agents).
- c. Upon approval, the traveling training agent may transport apprentices from its home jurisdiction if appropriate arrangements have been made for related training concurrently with Chemeketa Community College and its geographical area committee.
- d. Should the traveling training agent choose not to transport its apprentices, said traveling training agent will be required to hire apprentices from this committee's out-of-work list.

## AREA II PLUMBERS JATC MA#2015

2475 Lancaster Dr NE, Ste 9, Bldg B, Salem OR 97305  
503-991-5203 fax 888-991-5904 Email: officeadmin@area2app.com

### POLICIES AND PROCEDURES MANUAL

## TRAINING AGENT ACKNOWLEDGMENT OF RECEIPT

The handbook contains policies and regulations which apply to me, and by which I agree to be bound. I further agree to be bound by any amendments, which may be legally adopted by the Committee and communicated to me.

I acknowledge receipt of a copy of the:

1. AREA II PLUMBERS JATC MA#2015 POLICIES & PROCEDURES
2. AREA II PLUMBERS JATC MA#2015 APPRENTICESHIP STANDARDS

### Training Agent

Business Name: \_\_\_\_\_

Employer Name: \_\_\_\_\_  
Print name

Employer Signature: \_\_\_\_\_

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

# AREA II PLUMBERS JATC MA#2015

2475 Lancaster Dr NE, Ste 9, Bldg B, Salem OR 97305  
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2. AREA II PLUMBERS JATC MA#2015 APPRENTICESHIP STANDARDS
3. COPY OF MY APPRENTICESHIP AGREEMENT
4. HARASSMENT POLICY:

An apprentice may be terminated from the apprenticeship and barred from future application for up to one year for documented acts of abuse, assault, battery, harassment, intimidation, stalking, or other threatening behavior toward an individual involved in the operation of an apprenticeship or training committee, including (but not limited to) committee members, staff to the committee, representatives of participating unions and training agents, and staff of classroom training facilities.

#### Apprentice

Apprentice Name: \_\_\_\_\_  
Print name

Apprentice Signature: \_\_\_\_\_

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