

REVISED
NATIONAL
GUIDELINES FOR
APPRENTICESHIP STANDARDS

developed by

INTERNATIONAL MASONRY INSTITUTE

For the occupations under the jurisdiction of the International Union of
Bricklayers and Allied Craftworkers



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

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

BY: _____ /s/
JOHN V. LADD, ADMINISTRATOR
OFFICE OF APPRENTICESHIP

CERTIFICATION DATE: January 10, 2013

CERTIFICATION NUMBER: C-79960

FOREWORD

The International Masonry Institute (IMI) recognizes the need for structured training programs to maintain the high level of skill and competence demanded in the masonry industry. Registered apprenticeship is the most practical and sound training system available to meet that need, to develop individuals into skilled journeyworkers, and to ensure industry an adequate supply of skilled workers.

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

The purpose of these National Guidelines for Apprenticeship Standards (National Guideline Standards) is to provide policy and guidance to local Joint Apprenticeship and Training Committees (Sponsors) in developing Standards for Apprenticeship for local approval and registration. These National Guideline Standards, developed by the International Masonry Institute, are certified by the U.S. Department of Labor, Office of Apprenticeship, as substantially conforming to the requirements of Title 29, CFR parts 29 and 30. State Apprenticeship Agencies recognized by the Office of Apprenticeship to register local programs, and/or local laws and regulations, may impose additional requirements that must be addressed in the local apprenticeship standards.

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

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

INTERNATIONAL MASONRY INSTITUTE

MISSION STATEMENT



The International Masonry Institute, (IMI), is a Labor-Management organization serving unionized trowel trades workers and their employing contractors in the United States and Canada. IMI is a Joint Trust of the International Union of Bricklayers and Allied Craftworkers, (BAC), and the contractors who employ its members. It was created in 1970 to promote masonry building systems and masonry craftworkers. Today, IMI works for the betterment of the industry through four major programs: Apprenticeship and Training, Marketing and Technical Services, Research and Development and Labor-Management Relations.

INTERNATIONAL MASONRY INSTITUTE

The International Masonry Institute (IMI) is charged with development of National Guidelines for Apprenticeship Standards and having them certified by the Office of Apprenticeship, U. S. Department of Labor, for use by local JATCs.

IMI is a joint trust of the International Union of Bricklayers and Allied Craftworkers (BAC) and the signatory contractors who employ its members. It was created in 1970 to promote masonry building systems and masonry craftworkers. Over time, the scope of IMI has grown because the needs of our Union masons and their employers have changed. Today, not only does IMI promote the use of masonry building systems installed by BAC Union craftworkers, but it also works for the betterment of the industry through its four major programs:

- Apprenticeship and Training
- Marketing and Technical Services
- Research and Development
- Labor Management Relations

A Board of Trustees and a number of Area Program Boards govern IMI. Both the Board of Trustees and the Area Program Boards are comprised equally of union officials and employers, with a labor and a management co-chair.

IMI offers two central training services. First is the National/Regional Trowel Trades Training System, which provides training opportunities for BAC apprentices and journeyworkers. The training system consists of an International Training Center and a series of area and satellite training centers, where IMI conducts pre-job training for apprentices, as well as cross-craft and specialty training for journeyworkers. The second service is IMI's Instructor Certification and Re-certification Program; a Train-the-Trainer curriculum that requires participants to complete over 200 hours of technical and professional, teacher training course work.

IMI recognizes the need for structured training programs to maintain the high level of skill and competence demanded in the Masonry Industry. Registered Apprenticeship has long been recognized as the most practical and efficient training system to meet the construction industry's needs for a continuing supply of a skilled workforce. The IMI, in conjunction with BAC and the International Council of Employers (ICE), has in place Registered Apprenticeship National Guidelines Standards which conform to the requirements for Timed Based Apprenticeship Standards per the US Department of Labor – Employment & Training Administration. Those Standards cover the crafts of Bricklayer, Marble Setter, Marble Finisher, Stonemason, Terrazzo Worker, Terrazzo Finisher, Tile Setter, Tile Finisher, Cement Mason, Plasterer, Mosaic Worker, and Pointer-Cleaner-Caulker.

In defining these Hybrid Based Standards of Apprenticeship, IMI, BAC, and ICE are offering an option to their participating Joint Apprenticeship and Training Committees (JATCs) to choose either a Timed Based or Hybrid Based apprenticeship program structure, and to submit and register their apprenticeship standards under either structure in accordance with the US DOL ETA 2008 revised regulations to 29 CFR Part 29. The Hybrid Standards cover the crafts of Bricklayer, Tile Setter, Stonemason, Pointer Cleaner Caulker, and Tile Finisher.

IMI will be available to advise and assist local JATCs with their training needs and developing local Apprenticeship Standards.

DEVELOPMENT OF LOCAL STANDARDS OF APPRENTICESHIP

It is the responsibility of the local Joint Apprenticeship and Training Committee (JATC) to develop local Standards of Apprenticeship substantially based on these National Guidelines, and to register the Standards with the appropriate Registration Agency.

The purpose of apprenticeship standards is to set forth standards to safeguard the welfare and training of apprentices and to extend the application of such standards by prescribing policies and procedures concerning the registration. Sample Standards of Apprenticeship are provided in Tab 2, and are intended for guideline use by local JATCs. The sample Standards provide for each section to be included in locally developed Standards of Apprenticeship, with appropriate sample language that may be used in the local Standards.

The sample language should not be used “as is” unless it accurately reflects how the local program operates. Apprenticeship Standards must meet the requirements of the Registration Agency and any applicable State or local regulations.

Though each JATC will develop its own Standards of Apprenticeship, all Standards must contain provisions concerning the following (additional provisions should be added as needed):

- A. The employment and training of the apprentice in a skilled occupation
- B. The terms of apprenticeship
- C. An outline of the on-the-job training work processes
- D. Provision for organized, related instruction
- E. A progressively increasing schedule of wages
- F. Periodic review and evaluation of the apprentice’s progress, and maintenance of appropriate progress records
- G. The numeric ratio of apprentices to journeymen
- H. A reasonable probationary period with full credit for successful completion of such period, and authority for the termination of an apprenticeship agreement during the probationary period without stated cause
- I. Adequate and safe equipment and facilities for training, and safety training for apprentices
- J. The minimum qualifications required by the sponsor for persons entering the apprenticeship program
- K. The placement of apprentices under a written apprenticeship agreement that, incorporates the apprenticeship standards
- L. The granting of advanced standing or credit for previous experience, training or skills, if applicable, for all applicants equally, with commensurate wages for any progression step so granted
- M. Transfer of the employer’s training obligation when the employer is unable to fulfill its obligation
- N. Assurance of qualified training personnel and adequate supervision on the job

- O. Recognition of successful completion of apprenticeship
- P. Identification of the Registration Agency
- Q. Provision for the registration, modification, and the cancellation of the program
- R. Provision for the registration of apprenticeship agreements and for notice to the Registration Agency of completions, cancellations, suspensions, extensions, and terminations of apprenticeship agreements, and causes therefore
- S. Authority for the termination of an Apprenticeship Agreement during the probationary period by either party without stated cause
- T. A statement the program will be conducted in conformity with all applicable Federal and State EEO laws, regulations, rules, and adopted plans
- U. The name and address of the appropriate authority to receive, process, and dispose of complaints
- V. The recording and maintenance of all records as required by the Registration Agency and any other applicable laws

DEVELOPMENT OF AFFIRMATIVE ACTION PLAN AND SELECTION PROCEDURES

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

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

A sample Affirmative Action Plan and Selection Procedures are attached.

Representatives of the Registration Agency are available to assist the local Sponsor in developing its Standards of Apprenticeship, Affirmative Action Plan, and Selection Procedures using the sample provided. Once developed, the Standards of Apprenticeship, as well as the Affirmative Action Plan and Selection Procedures, must be submitted to the Registration Agency for approval and registration. Company Affirmative Action Plans and Selection Procedures (hiring process) may be considered in lieu of utilizing the samples provided if they meet all of the requirements of Title 29, CFR part 30.

**OFFICIAL ADOPTION OF NATIONAL GUIDELINES FOR
APPRENTICESHIP STANDARDS:**

The International Masonry Institute hereby officially adopts these revised National Guidelines for Apprenticeship Standards on this 5th day of December, 2012.

_____/s/_____
JAMES BOLAND
Labor Co-Chair
International Masonry Institute
President, International Union of
Bricklayers and Allied Craftworkers

_____/s/_____
FRED KINATEDER
Management Co-Chair
International Masonry Institute
President, International Council of
Employers of Bricklayers and Allied
Craftworkers

(SAMPLE)
STANDARDS OF APPRENTICESHIP
DEVELOPED BY
(Insert Sponsor Name)

FOR
ALL OCCUPATIONS LISTED IN THESE STANDARDS

APPROVED BY

(REGISTRATION AGENCY)

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

TABLE OF CONTENTS

		Page
Foreword.....		iii
Definitions		iv
SECTION I	Program Administration.....	1
SECTION II	Equal Opportunity Pledge	2
SECTION III	Affirmative Action Plan	2
SECTION IV	Qualifications for Apprenticeship	3
SECTION V	Selection of Apprentices	3
SECTION VI	Apprenticeship Agreement.....	4
SECTION VII	Ratio of Apprentices to Journeyworkers.....	4
SECTION VIII	Term of Apprenticeship	4
SECTION IX	Probationary Period	5
SECTION X	Hours of Work	5
SECTION XI	Apprentice Wage Progression.....	5
SECTION XII	Credit for Previous Experience	6
SECTION XIII	Work Experience.....	6
SECTION XIV	Related Instruction	7
SECTION XV	Safety and Health Training.....	7
SECTION XVI	Supervision of Apprentices	8
SECTION XVII	Records and Examinations	8
SECTION XVIII	Maintenance of Records	9
SECTION XIX	Certificate of Completion of Apprenticeship	9
SECTION XX	Notice to Registration Agency.....	10
SECTION XXI	Cancellation and Deregistration	10
SECTION XXII	Amendments and Modifications	10
SECTION XXIII	Adjusting Differences/Complaint Procedure.....	10
SECTION XXIV .	Collective Bargaining Agreements	12
SECTION XXV ..	Transfer of an Apprentice and Training Obligation.....	12
SECTION XXVI .	Responsibilities of the Apprentice	13
SECTION XXVII	Technical Assistance	13
SECTION XXVIII	Signature Page Adopting Apprenticeship Standards	14
APPENDIX A	Sample Work Process Schedule and Related Instruction Outline	
APPENDIX B	AER Sponsor Manual and Sample Apprenticeship Agreement	
APPENDIX C	Template Affirmative Action Plan	
APPENDIX D	Qualifications and Selection Procedures	

FOREWORD

These (INSERT SPONSOR NAME) Apprenticeship Standards have as their objective the training of Masonry workers skilled in all phases of the industry. The (Insert Sponsor Name) recognizes that in order to accomplish this, there must be well-developed on-the-job learning combined with related instruction.

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

DEFINITIONS

The following definitions apply to terms and acronyms commonly used throughout this document:

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

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

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

APPRENTICESHIP PROGRAM: Refers to a planned and administered training system. The written program contains all terms and conditions for the qualification, recruitment, selection, employment, compensation, and training of apprentices as required under 29 CFR parts 29 and 30.

APPRENTICESHIP TRAINING DIRECTOR: The person or persons who may be designated to oversee one or more Apprenticeship Training Coordinators in large geographic areas or areas where a number of occupation programs are operated by the JATC and such administrative oversight is advisable for the efficient management of the programs.

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

CFR: The Code of Federal Regulations.

COLLECTIVE BARGAINING AGREEMENT (CBA): The negotiated agreement between BAC and/or its affiliates and signatory employer(s) that sets forth the terms and conditions of employment.

COORDINATOR: The person or persons designated to administer the duties as outlined in the JATCs' Standards of Apprenticeship.

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

EMPLOYER: Any person or organization employing an apprentice including any member of the International Council of Employers or any other contractor having a CBA with BAC and/or its affiliates.

HELMETS TO HARDHATS (H2H): Military Veterans who completed military technical training school and/or participated in a registered apprenticeship program or related craft while in the military in the occupations registered in the masonry Industry, may be given direct entry into the apprenticeship program. The Sponsor shall evaluate the military training received for granting appropriate credit on the term of apprenticeship and the appropriate wage rate. The Sponsor will determine what training requirements they need to meet to ensure they receive all necessary training for completion of the apprenticeship program. Entry of Military Veterans shall be done without regard to race, color, religion, national origin, or sex. Military veterans who are registered with the H2H program will be given the utmost consideration with regards to direct entry into the apprenticeship programs. ***(Note: This is a method of direct entry into the apprenticeship program.)***

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

INTERNATIONAL COUNCIL OF EMPLOYERS OF BRICKLAYERS AND ALLIED CRAFTWORKERS (ICE): An employer organization comprised of contractors who are signatory to CBAs with BAC and/or its affiliates and who are participating members of the IMI.

INTERNATIONAL MASONRY INSTITUTE (IMI): A Joint Labor/Management Trust of the International Union of Bricklayers and Allied Craftworkers and the signatory contractors that employ its members.

INTERNATIONAL UNION OF BRICKLAYERS AND ALLIED CRAFTWORKERS (BAC): An International Labor Organization and its affiliates whose purpose is to foster the rights of its members in matters related to their employment and occupations in masonry and its allied crafts industry. It is referred to throughout this document as BAC.

JOB CORPS CENTERS: Any of the Federally-funded Job Corps Centers throughout the U.S. and Puerto Rico. Job Corps annually serves approximately 65,000 youth and young adults between 16-24 years of age. Sponsors who wish to admit Job Corps graduates 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.

JOINT APPRENTICESHIP AND TRAINING COMMITTEE (JATC): A structured group whose membership is made up of an equal number of Union and Contractor representatives. These Standards of Apprenticeship are registered as identifying the JATC as the program's Sponsor. The duties and responsibilities of the JATC are included in Title 29, CFR part 29 and subsequent duly authorized amendments.

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

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

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

PROGRAM SPONSOR: The Joint Apprenticeship and Training Committee (JATC) in whose name the program's Standards of Apprenticeship are registered. The Program Sponsor has full responsibility for the administration and operation of its Apprenticeship Program.

PROVISIONAL REGISTRATION: Means the 1-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 the criteria described in §29.3 (g) and (h).

REGISTERED APPRENTICESHIP PARTNERS INFORMATION DATA SYSTEM (RAPIDS): The Federal system which provides for the automated collection, retention, updating, retrieval and summarization of information related to apprentices and apprenticeship programs.

REGISTRATION AGENCY: Means the U.S. Department of Labor, Office of Apprenticeship, or a recognized State Apprenticeship Agency that has responsibility for registering apprenticeship programs and apprentices; providing technical assistance;

and conducting reviews for compliance with Title 29, CFR parts 29 and 30 and quality assurance assessments.

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

SIGNATORY CONTRACTOR: Any single employer or member of an employer association having a CBA with BAC and/or its affiliates.

STANDARDS OF APPRENTICESHIP: This entire document, including all current and future appendices and attachments, which is submitted and subsequently registered 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: The time-based approach 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. *(if applicable)*

TRANSFER: A shift of apprenticeship agreement from one program to another or from one employer within a program to another employer within that same program, where there is agreement between the apprentice and the affected Sponsor(s).

YOUTHBUILD U.S.A.: YouthBuild is a youth and community development program that simultaneously addresses core issues facing low-income communities: housing, education, employment, crime prevention, and leadership development. In YouthBuild programs, low-income young people ages 16-24 work toward their GED or high school diploma, learn job skills and serve their communities by building affordable housing, and transform their own lives and roles in society. *(if applicable)*

SECTION I – PROGRAM ADMINISTRATION (SAMPLE)

The JATC shall be composed of an equal number of representatives appointed by the Employer/Employer Organization (representing the employers), and the Union (representing the employees).

The JATC shall be responsible for, but not limited to, the following duties:

- a. Establishing and registering the Standards of Apprenticeship with the Registration Agency, and ensuring adherence to those standards.
- b. Establishing and maintaining rules and requirements governing the policies, administration, supervision, and training of apprentices. The rules and requirements shall comply with the Collective Bargaining Agreement and with these Apprenticeship Standards. A copy of the rules and requirements, and any subsequent changes to them shall be provided to the Registration Agency. A copy shall also be provided to the Apprentice.
- c. Determining the need for new apprentices. The JATC shall determine when openings will be available and for the selection of apprentices. The process and procedure for selection shall be in accordance with the Selection Procedures attached to and made part of the Apprenticeship Standards.
- d. Initiating and signing all Apprenticeship Agreements for apprentices and forwarding them to the Registration Agency for approval and registration. The JATC will also notify the Registration Agency and/or other appropriate parties of the cancellation, suspension, extension, reinstatement, or completion of apprentices within the program.
- e. Arranging, and verifying through evaluation, that apprentices receive the required on-the-job-learning (OJL) and related instruction. This instruction will provide them with the diversity of training delineated in the attached Work Process Schedule (for time-based programs) or Schedule of Evaluation (for hybrid programs), and Related Instruction Outline.
- f. Monitoring and evaluating apprentices' progress, including the review of apprentices' records to ensure that apprentices are fulfilling their responsibilities under the program. The JATC will review, approve and document all apprentice actions including hours, content of training, progress of OJL and Related Instruction, step progressions, disciplinary actions, evaluation results, poor progress reports, corrective action plans, successful completions, cancellations, and any other performance or attendance related items.
- g. Hearing and resolving complaints regarding Apprenticeship Agreement violations and disputes.

- h. Certifying the apprentice has completed both the required OJL and Related Instruction, and submitting such certification to the Registration Agency with request for the issuance of the Certificate of Completion of Apprenticeship, upon validation that the apprentice has satisfactorily completed all of the obligations and requirements of the apprenticeship program.
- i. Develop, implement and annually review the Affirmative Action Plan (AAP) and Selection Procedures, updating the AAP and goals/timetables, and modifying the AAP and Selection Procedures as a result of the review, when appropriate. Such review will include an analysis of the JATC's success in meeting its goals, the good faith efforts made, and the impact each element of the AAP and Selection Procedures had on meeting its goals.
- j. Maintaining all records relating to the recruitment, selection, employment and training of apprentices for a minimum of five (5) years from the last date of action on an individual apprentice.
- k. Transferring apprentices, when one employer is unable to provide diversified training or fulfill the obligation under the apprenticeship agreement to another employer under the same program, with consent of all parties to the Agreement.
- l. Storing all records and training data on the Masonry Industry Training Data System (TMS) maintained by the International Masonry Institute, and maintaining access to such records by the JATC for the administration of its duties.

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

The recruitment, selection, employment, and training of apprentices during their apprenticeship shall be without discrimination because of race, color, religion, national origin, or sex. The Sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations (CFR), part 30, as amended (insert state regulations here, if applicable).

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

A Sponsor training five or more apprentices at any time will adopt an Affirmative Action Plan and Selection Procedures as required under Title 29, CFR part 30. It will be attached as Appendix C.

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

Applicants will meet the following minimum qualifications:

A. Age

All applicants shall be at least seventeen (17) years of age, may be rated and ranked and placed on the pool of eligible's list. JATCs wishing to register seventeen (17) year olds should make certain that this practice does not conflict with State or local laws and applicable insurance regulations.

B. Education

Applicants shall possess sufficient reading and math comprehension skills to satisfactorily complete the OJL and related technical instruction. A high school diploma or GED equivalency is recommended.

Applicants may submit a DD-214 or other military documentation to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.

C. Physical

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

Applicants may be required to pass a physical agility test and/or screen for the current illegal use of drugs upon acceptance into the program.

SECTION V - SELECTION OF APPRENTICES – Title 29 CFR 30.5

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

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

After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the apprentice shall be covered by a written Apprenticeship Agreement (Appendix B) signed by the JATC and the apprentice, and approved by and registered with the Registration Agency. Such agreement shall contain a statement making the terms and conditions of these standards a part of the

agreement as though expressly written therein. A copy of each Apprenticeship Agreement will be furnished to the apprentice, the Registration Agency, the employer and the Union, and a copy retained by the JATC. 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 shall be given an opportunity to read and review these Standards, the JATC's written rules and policies, the Apprenticeship Agreement and the sections of the Collective Bargaining Agreement (CBA) that pertain to apprenticeship. Selected applicants shall sign an acknowledgement that they have reviewed the documents and are willing to abide by them.

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

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

A numeric ratio of apprentices to journeyworkers shall be consistent with proper supervision, training, safety, and continuity of employment and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements. The ratio may be adjusted to meet local needs for skilled craftworkers. This ratio should, however, provide the number of future craftworkers necessary for the future needs of the industry. The maximum ratio shall be one (1) apprentice for every one (1) journeyworker, and no less than one (1) apprentice for every five (5) journeyworkers.

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

The term of the apprenticeship will be (minimum of three (3) years and maximum of four (4) years) with an OJL attainment of 4500 - 8000 hours supplemented by the required hours of related instruction as stated on the Sample Work Process Schedule and Related Instruction Outline (Appendix A). Full credit will be given for the probationary period.

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

All applicants selected for apprenticeship will serve a probationary period. The probationary period cannot exceed twenty-five (25) percent of the length of the program, or one (1) year, whichever is shorter.

During the probationary period either the apprentice or the JATC may terminate the Apprenticeship Agreement, without stated cause, by notifying the other party in writing. The records for each probationary apprentice 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 canceled at the request of the apprentice, or may be suspended or canceled by the JATC for reasonable cause after documented due notice to the apprentice and a reasonable opportunity for corrective action. In such cases, the JATC will provide written notice to the apprentice and to the Registration Agency of the final action taken.

SECTION X - HOURS OF WORK

Apprentices shall generally work hours that are specified in the Collective Bargaining Agreement for Journeyworkers except that no apprentice shall be allowed to work overtime if it interferes with attendance in related instruction classes unless first approved by the JATC. When an employer is unable or unwilling to fulfill its obligation under the Apprenticeship Agreement, the JATC will make arrangements for the transfer of an employer's training obligation to another employer under the same program, after consulting with the apprentice.

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

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

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

The progressive wage schedule will be an increasing percentage of the journeyworker wage rate as established in the CBA. The percentages that will be applied to the applicable Journeyworker rate are shown on the attached Sample Work Process

Schedule and Related Instruction Outline (Appendix A). In no case will the starting wages of apprentices be less than that required by any minimum wage law which may be applicable.

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

The JATC may grant credit towards the term of apprenticeship to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to that which would be received under these Standards.

Apprentice applicants seeking credit for previous experience gained outside the supervision of the JATC must submit the request at the time of application and furnish such records, affidavits, and other requirements to substantiate the claim. Applicants requesting such credit who are selected into the apprenticeship program will start at the beginning wage rate. The request for credit will be evaluated and a determination made by the JATC during the probationary period when actual on-the-job and related instruction performance can be examined. Prior to completion of the probationary period, the amount of credit to be awarded will be determined after review of the apprentice's previous work and training/education record and evaluation of the apprentice's performance and demonstrated skill and knowledge during the probationary period.

An apprentice granted credit will be advanced to the wage rate designated for the period to which such credit accrues. The Registration Agency will be advised of any credit granted and the wage rate to which the apprentice is advanced.

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

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

During the apprenticeship the apprentice shall receive such OJL and related instruction necessary to develop the skill and proficiency of a skilled journeyworker. The OJL shall be under the direction and guidance of qualified journeyworkers, JATC instructors and, in hybrid programs, a supervisor designated by the employer.

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

Each apprentice will be required to participate in related instruction away from the job as specified in the Related Instruction Outline (Appendix A). The decision to pay apprentices for attending related instruction classes is left to the discretion of each individual area JATC.

A minimum of 144 hours for each year of apprenticeship is recommended. Apprentices will take such courses as the JATC deems advisable. The minimum number of classroom hours per year may change from time to time in order to meet training needs. Such changes must be properly approved by the Registration Agency. Such instruction may be given in a classroom through trade or industrial courses, or by correspondence courses, or other forms of self-study deemed appropriate by the JATC and approved by the Registration Agency.

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

The JATC will secure competent instructors whose knowledge, experience, and ability to teach will be carefully examined and monitored. When possible, the instructors will enroll in the Instructor Certification Program offered by IMI. The JATC shall monitor and document the apprentice's progress in related instruction classes.

The JATC will inform each apprentice of the availability of college credit through the BAC University at Washtenaw Community College, the National Labor College or other accredited entities.

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

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

The JATC will offer at least the following Safety course in their related training classes:

- OSHA 1926 Construction Safety Outreach
- Scaffold User Safety Training
- Two Point Scaffold Safety Training
- HAZMAT Training
- HAZCOMM Training
- Confined Space Training

Check all applicable boxes.

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

The employer shall be responsible for providing the apprentice with adequate and craft-appropriate training on-the-job through a supervisor of apprentice(s) designated by the employer. The supervisor of apprentice(s) designated by the employer shall, with the advice and assistance of the JATC, be responsible for the apprentice's work assignments ensuring that the apprentice is: a) working under the supervision of a skilled journeyworker, b) is being truthfully and reliably evaluated regarding his/her work performance, and c) that the completion and submittal of the apprentice's progress reports and skill evaluations are submitted to the JATC in the required fashion, and in a timely manner.

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

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

Each apprentice shall be responsible for maintaining a record of his/her work experience/training on-the-job and in related instruction and for having this record verified by his/her supervisor at the end of each week. The apprentice will deliver these records to the JATC at the end of each month. The record cards and all data, written records of progress evaluations, and corrective and final actions pertaining to the apprenticeship, will be maintained by and will be the property of the JATC. This record will be included in each apprentice's record file maintained by the JATC.

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

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

Any misrepresentations or falsifications in the evaluation or records of the apprentice's skills and abilities, submitted to the JATC, will result in the apprentice being brought before the JATC for disciplinary action, including but not limited to, the possibility of the immediate cancellation of the Apprenticeship Agreement and dismissal from the apprenticeship program.

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

The JATC will maintain for a period of five (5) years from the date of last action, all records relating to apprentice applications (whether selected or not), the employment and training of apprentices, and any other information relevant to the operation of the program. This includes, but is not limited to, records on the recruitment, application and selection of apprentices, and records on the apprentice's job assignments, promotions, demotions, layoffs, terminations, rate of pay, or other forms of compensation, hours of work and training, evaluations, and other relevant data. The records will permit identification of minority and female (minority and non-minority) participants. These records will be made available on request to the Registration Agency.

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

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

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

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

SECTION XXI - CANCELLATION AND DEREGISTRATION – Title 29 CFR 29.5(b)(18) and 29.8(a)(2)

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

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

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

Within fifteen (15) days of cancellation of the apprenticeship program (whether voluntary or involuntary), the JATC will notify each apprentice of the cancellation and the effect of same. This notification will conform to the requirements of Title 29, CFR part 29.8.

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

These Standards may be amended or modified at any time by the JATC provided that no amendment or modification adopted will alter any Apprenticeship Agreement in force at the time without the consent of all parties. Such amendment or modification will be submitted to the International Masonry Institute for review and will then be submitted to the Registration Agency for approval and registration prior to being placed in effect. A copy of each amendment or modification adopted will be furnished to each apprentice to whom the amendment or modification applies.

SECTION XXIII - ADJUSTING DIFFERENCES/COMPLAINT PROCEDURE – Title 29 CFR 29.5(b)(22), 29.7(k) and 30.11

The JATC will have full authority to supervise the enforcement of these Standards. Its decision will be final and binding on the employer and the apprentice, unless otherwise noted below.

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

Title 29 CFR 29.7(k)

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

The JATC will hear and resolve all complaints of violations concerning the Apprenticeship Agreement and the registered Apprenticeship Standards, for which written notification is received within fifteen (15) days of violations. The JATC will make such rulings as it deems necessary in each individual case and within thirty (30) days of receiving the written notification or such further time as mutually agreed upon. Either party to the Apprenticeship Agreement may consult with the Registration Agency for an interpretation of any provision of these Standards over which differences occur. The name and address of the appropriate authority to

receive, process and make disposition of complaints is: **(The JATC should insert applicable information here).**

Title 29 CFR 30.11

Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice's or applicant's election, with the private review body established by the Program Sponsor (if applicable).

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

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

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

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

SECTION XXIV - COLLECTIVE BARGAINING AGREEMENTS - Title 29 CFR 29.11

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

- (a) Any apprenticeship provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards; or
- (b) Any special provision for veterans, minority persons, or women in the standards, apprentice qualifications or operation of the program, or in the apprenticeship agreement, which is not otherwise prohibited by law, Executive Order, or authorized regulation.

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

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

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

If an employer is unable to fulfill its training obligations due to lack of work or failure to conform to these Standards, or, if necessary to assure the apprentice more complete OJL experience in all aspects of the trade, the local JATC will make every effort to refer the apprentice with his/her consent to another employer. This will provide the apprentice an opportunity for continuous employment and completion of their apprenticeship program. The apprentice will receive credit from the JATC for training already satisfactorily completed.

SECTION XXVI - RESPONSIBILITIES OF THE APPRENTICE

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

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

- A. Perform diligently and faithfully the work of the occupation and other pertinent duties assigned by the JATC and the employer in accordance with the provisions of these Standards.
- B. Respect the property of the employer and abide by the working rules and regulations of the CBA and the JATC.
- C. Attend and satisfactorily complete the required hours in the OJL and in related instruction in subjects related to the occupation as provided under these Standards.

- D. Maintain and make available such records of work experience and training received on-the-job and in related instruction as required by the Sponsor.
- E. Develop and practice safe working habits and work in such a manner as to assure his/her personal safety and that of fellow workers.
- F. Work for the employer to whom the apprentice is assigned for the completion of apprenticeship, unless reassigned to another employer or the Apprenticeship Agreement is terminated by the JATC.

SECTION XXVII - TECHNICAL ASSISTANCE

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

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

SECTION XXVIII - OFFICIAL ADOPTION OF APPRENTICESHIP STANDARDS:

The [NAME OF SPONSOR JATC] hereby adopts these Standards of Apprenticeship on this January 10, 2013 Day of (Insert Month/Year).

_____/s/_____
JATC Chairperson

_____/s/_____
JATC Secretary

_____/s/_____
Printed Name

_____/s/_____
Printed Name