

# **JATC Policies & Procedures**

Approved October 1, 2024

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## PREFACE

The attached policies and procedures have been approved and adopted by the Joint Apprenticeship Training Committee (JATC). The JATC is the policymaking and administrative body responsible for the operation and success of this apprenticeship program. The purpose and policy of the JATC is to establish and sponsor an organized system of registered apprenticeship and training education in accordance with the apprenticeship standards set by the Oregon State Apprenticeship and Training Council (OSATC).

Should any part or section of these policies and procedures be declared invalid or illegal by existing or future State or Federal law, apprenticeship standard or rule, those parts or sections will be subject to change or correction by JATC action, but the remainder shall continue in full force and effect.

### Equal Employment Opportunity Pledge

OETC will not discriminate against apprenticeship applicants or apprentices based on RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX (INCLUDING PREGNANCY AND GENDER IDENTITY) SEXUAL ORIENTATION, GENETIC INFORMATION, OR BECAUSE THEY ARE AN INDIVIDUAL WITH A DISABILITY OR A PERSON 18 YEARS OLD OR OLDER. OETC will take affirmative action to provide equal opportunity in apprenticeship and will operator the apprenticeship program as required under Title 29 of the Code of Federal Regulations, part 30.

### Your Right to Equal Opportunity

It is against the law for a sponsor of an apprenticeship program registered for Federal purposes to discriminate against an apprenticeship applicant or apprentice based on race, color, religion, national origin, sex, sexual orientation, age (40 years or older), genetic information, or disability. The sponsor must ensure equal opportunity with regard to all terms, conditions, and privileges associated with apprenticeship. If you think that you have been subjected to discrimination, you may file a complaint within 300 days from the date of the alleged discrimination or failure to follow the equal opportunity standards with Bureau of Labor and Industries, 800 NE Oregon St., Suite 1045 Portland 97232, 971-673-0761, [mailb@boli.state.or.us](mailto:mailb@boli.state.or.us), Director of Apprenticeship Training and Division. You may also be able to file complaints directly with the EEOC, or State fair employment practices agency. If those offices have jurisdiction over the sponsor/employer, their contact information is listed below. U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Attn: Apprenticeship EEO Complaints 1-800-397-6251 (toll-free) or Andrew Ridgeway (202) 693-3536 , AND Oregon Bureau of Labor & Industries (FEPA) Civil Rights Division State Office Building, 800 NE Oregon Street, MS#32 Suite 1070 Portland, OR 97232, 503-731-4874 or 503-731-4106 (TTY).

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

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

## GENERAL INFORMATION And EXPECTATIONS

While the JATC is responsible under Oregon State law and administrative rule for the apprenticeship program, it is the responsibility of the apprentice to cooperate with the JATC during the development of their career.

Along with the specific requirements outlined in the program standard and in these policies and procedures, apprentices are expected to:

- a.** Conduct themselves at all times in a neat and professional manner. Candidates must dress in appropriate construction related work attire including, but not limited to: above the ankle work boots, long-sleeved or short sleeved shirts, long pants (jeans), hard hat, vest and safety glasses. No tank tops, shorts, tennis shoes, open-toed shoes or open heeled footwear are allowed.
- b.** Diligently perform the work assigned, develop and practice safe working habits (wearing seatbelts is a condition of training), and comply with the work site or related training environmental, health, and safety programs, and drug and alcohol policies.
- c.** Keep the JATC informed of current address and telephone number and submit all requested information to the JATC in a timely manner.
- d.** Conduct themselves in accordance with principles and requirements of membership as established by the International Union of Operating Engineers and Local 701.
- e.** Apprentices are encouraged to attend June and December semi-annual union meetings.
- f.** Training Center hours are 8:00 am – 4:00 pm. Due to the rural location of the training center, be prepared to stay on site with a packed lunch each day.
- g.** No alcoholic beverages or other controlled substances allowed.
- h.** No smoking in the buildings or on the equipment.
- i.** No guns, hunting or fishing allowed on the training site.
- j.** No cell phones allowed on site. Leave them in the vehicle.

**k.** Report all injuries to your instructor immediately.

Apprentices must work only for employers approved as training agents as assigned by the Union Dispatch Office, must record and submit OJT training hours, and must make every effort to maintain employment.

Being present and on time every day is expected. OETC takes a negative view of excessive absences, tardiness, or failure to contact OETC when unable to come to class, and may result in dismissal from training.

## POLICY AND PROCESS FOR DISPATCH

**PREAMBLE:** DISPATCH TO EMPLOYMENT OPPORTUNITIES IS AN INTEGRAL PART OF THE APPRENTICESHIP TRAINING PROGRAM BASED ON THE APPROVED APPRENTICESHIP STANDARDS. DISPATCH IS NOT MEANT TO BE CONSTRUED AS EITHER GUARANTEED EMPLOYMENT **OR** AS AN EMPLOYMENT STRATEGY FOR INDIVIDUALS. RATHER, IT IS TO SERVE AS A MEANS TO COMPLETE INDIVIDUALS TO JOURNEY STATUS IN THE MOST EFFICIENT MANNER POSSIBLE.

Employers needing an apprentice will call the Union Dispatch Office between the hours of 8:00 a.m. and 5:00 p.m. on Monday through Friday (excluding holidays). The employer will provide staff with information relative to the job offered. This shall include: the starting time and date; location and setting of the employment; work process(es) in which the apprentice will be engaged; and the duration of the employment.

Staff in the Union Dispatch Office will then determine, based on the employer provided information, the dispatch list from which to select the individual apprentice. Selection will be determined based upon:

- the nature of the employment and the environment for the training (the setting);
- type or types of equipment/work process(es) to be performed; and,
- residence and duration of job.

Individual apprentice selection shall be determined from the appropriate “major” dispatch list; first, by which apprentice on the list is the closest to meeting the standards requirement for OJT hours in the work process(es) defined by the employer request; and, second, by individual out of work dates.

Where an individual is within 80 OJT hours of meeting the minimum requirement for the work process(es), staff may, at their discretion, elect to satisfy this requirement through related training and shall notify the JATC of their intent to do so.

It is understood that this process of dispatch may, in effect, cause certain apprentices to be on a “major” list and yet not be dispatched because of their completion of the minimum/maximum hours requirements for certain work processes within their major.

Where a “major” list is exhausted, or there are no apprentices for whom the OJT hours would benefit their meeting minimum requirements with the standards governing their major, staff shall then go to the **PAN** list and select the apprentice with the oldest out of work date and refer them to the employer as a dispatched apprentice, all other provisions of this policy and process notwithstanding.

The individual so identified on the appropriate list will be contacted by phone at their last known number. If there is no answer staff will note this in the individual’s file as a “no contact”. If a message is left, staff will notify the individual of the time by which they must respond to the Union Dispatch Office to be considered for the dispatch. Based on the time and nature of the dispatch request, every effort will be made to allow at least a two hour response time.

Should the individual fail to respond within the time period specified, staff will then move to the next individual on the appropriate list. Once an apprentice has been contacted, staff will share the information provided by the employer. A note will be entered into the file indicating whether the apprentice accepted or declined the dispatch.

***When an individual employer employs one or more journey level operating engineers on the job site and where significant environmental/safety and health considerations are such that an inexperienced apprentice may place himself/herself or others at greater risk of injury or accident, the employer may request an apprentice at 90% or greater status in the program, or one who has at least one TSP in the required field, subject to apprentice availability. In these cases, staff will identify the most appropriate individuals on the out of work list and dispatch him/her to the job site.***

**DISPATCH LISTS:** There shall be seven dispatch lists established: Four for equipment operators (UEO), one for heavy duty repairers (HDR), one for technical engineers (TE) and one for Machinery Movers/Riggers (MMR).

Dispatch lists for equipment operators shall reflect the four “majors” and non-major operator apprentices covered in the standards. The lists shall be titled: **Asphalt,**

**Concrete and Paving (AP); Grades and Excavation (GE); Crane and Lifting Operations (CR); Crane and Excavation (CE); Probationary Apprentices/No Major (PAN), Heavy Duty Repairers (HDR); Technical Engineers (TE); and Machinery Mover/Rigger (MMR).**

Until an individual elects a “major” consistent with the requirements in the standards (at 500 hours OJT but no later than 1000 hours OJT or (1) calendar year (whichever occurs later)), they shall remain on the **PAN** Dispatch List.

New apprentices shall be entered onto the appropriate list on the effective date of the JATC action indenturing them as an apprentice. For active apprentices it shall be the date they notify the staff by telephone, in writing via email, facsimile transmission, US mail, or in person that:

- the apprentice has been released and/or terminated by their employer; or,
- released from medical/injury leave (including work related) in writing by their treating practitioner; or,
- are returning from personal leave of absence administratively granted or granted by the JATC.

The apprentice is to notify the Union Dispatch Office immediately upon layoff or termination of employment, even if temporary.

Such date of notification to the Union Dispatch Office shall be the individual’s “out of work date”. In the case of written notice, the date shall be the date of receipt in the Union Dispatch Office.

Any apprentice who is rejected by the Employer shall be restored to their place on the appropriate list. When an apprentice is referred for employment and is employed for thirty (30) calendar days or less, the apprentice shall be restored to their place on the appropriate out-of-work list with the number of calendar days out on dispatch added to the out of work date at the time of dispatch.

If an apprentice accepts a dispatch referral and does not report to the job site for work, quits, is terminated for cause, or has failed to pass a substance abuse test, he/she shall be placed at the bottom of their list. Should an apprentice be terminated a second time for failure to pass a substance abuse test, he/she will not be dispatched until they have successfully completed a State certified drug /alcohol program or has been released for employment purposes by a State certified counselor. All costs of this process for returning to the appropriate list shall be the responsibility of the apprentice.

Apprentices may be called by “name” by an employer for whom they have previously been employed in another occupation or dispatched to as an apprentice, subject to the training opportunity:

- being within their “major” if applicable; and,
- the apprentice has not met the minimum/maximum OJT hours provisions for the work process(es)

Apprentices are to recognize that they do not have a choice of jobs or locations. However, they may turn down one dispatch in a 12-month period without penalty. They are required to report to and/or transfer from any employer as directed by the Union Dispatch Office to assure as broad based on-the-job training as possible. Apprentices are expected to never quit a job, but rather, contact the Union Dispatch Office or Apprenticeship Coordinator if there is any problem. In so far as is possible, the JATC will attempt to keep apprentices continuously employed but cannot guarantee full employment in the industry. An apprentice on proposed cancellation will not be eligible for dispatch.

***Apprentices declining a dispatch without just cause as identified by the JATC, and as described below, will be cited into the next JATC meeting to review their status in the program. Just cause shall include but not necessarily be limited to illness or family emergency.***

- Second declined dispatch will result in a Citation, Notice to Appear before the JATC being issued to the apprentice and fifteen(15) days will immediately be added to their out of work date.
- Third declined dispatch will result in thirty (30) days being immediately added to their out of work date; a Citation of Proposed Cancellation and Notice to Appear before the JATC shall be issued and the apprentice will automatically be placed on probation pending JATC review. The JATC may take action to cancel the individual’s apprentice agreement. The apprentice being cited will have the opportunity to discuss why their agreement should not be canceled.

**Important Note:** The safety, health and welfare of the apprentice and all others in the workplace is of primary consideration and an individual apprentice’s behavior at the workplace or at related training shall reflect that consideration at all times.

Negative comments on an MPR regarding job-site safety concerns will be cause for immediate discipline up to and including, but not necessarily limited to, suspension of dispatch.

If there is concern regarding an apprentice's unsafe behavior, whether at the workplace or at related training, and where the nature of the concern is such that immediate action is indicated, the staff may consult with the JATC Chair or, in his/her absence, the Vice Chair asking for an interim decision on the suspension of dispatch. Any decision on the part of the Chair or Vice Chair shall be in full force and effect pending full JATC review. Final JATC disciplinary action, up to and including, but not necessarily limited to: re-rate hold, disciplinary probation, suspension or cancellation of the apprenticeship agreement will be determined. Any and all such actions shall be communicated to the apprentice in writing.

#### Initial Employment Policy for Pool of Eligibles

Contractual requirements state that the Union will supply workers (i.e. journeypersons & apprentices) within 48 hours of request. This need for workers is reflected in our expectation that POE's will do their best to be immediately available for dispatch once called. POE's are also expected to contact dispatch monthly while waiting and will already be aware of their place on the list. This knowledge will allow them time to make arrangements for acceptance of their first dispatch when the call comes in.

## TRAINING AGENT APPROVAL POLICY

All applicants for Training Agent status with the JATC must submit a completed Bureau of Labor and Industries approved registration form. In addition, the employer applying for Training Agent status agrees that with submission of the Registration to employ apprentices to the degree established in the standards for the occupation that they will be employing apprentices.

To ensure compliance with the standards and this JATC Policy, the employer may be required by the JATC and / or its designated staff requesting on their behalf to provide updated information on the number of journey level operators currently employed, the location of their individual job sites, and the categories of work performed.

Training Agents will be subject to an annual review if currently employing apprentices. Regular job site visits to be made by union representatives to confirm Training Agent is meeting all terms of the training agent agreement (See ORS 660.137)

If a Training Agent is found in violation of the agreement a corrective warning letter will be issued to the Training Agent. If violation is not corrected immediately and/or the training agent is found to be in violation again the Training Agent will be cited to appear before the committee. The committee will give 22 days notice to the training agent and the apprentice may or may not be removed from the Training Agents employ as determined by the committee or union representative assisting with compliance. Depending on outcome of the citation to appear, the Training Agent will (or can be) placed on disciplinary probation for a period not to exceed six months. During which time they could employ an apprentice if the circumstances which created the citation in the first place have been corrected by the Training Agent.

If the Training Agent violates any terms of the Training Agent Agreement while on probation

Non-compliance of this policy may result in the employer being cited to appear before the JATC. Following an appearance by the employer, and / or in the event the employer fails to appear, the JATC may take disciplinary action up to and including termination of their Training Agent status.

Training Agents that fail to employ apprentices for 2 consecutive years, the following policies apply:

1. Local Training Agents whom have not employed apprentices for the duration of 2 years, and cannot provide evidence of a need to employ an apprentice by the end of the 3<sup>rd</sup> consecutive year, will have their Training Agent status terminated.

2. Traveling Training Agents whom have not employed apprentices for the duration of 2 consecutive years, their Training Agent status will be terminated.
3. Training Agents, whom have applied only for the employment of apprentices for a particular project under the terms of a project labor agreement, will have their status terminated once the duration of the project is complete.

In the event that a Training Agent agreement is terminated due to inactivity or project completion and not for cause, the Training Agent will be immediately eligible to reapply as an active Training Agent and employ apprentices.

Any action taken by the JATC will be reported to (ATD) Apprenticeship and Training Division of (BOLI) Bureau of Labor and Industries and all other affected governmental /regulatory agencies. Termination of Training Agent status *for cause* shall bar the employer from reapplying for such status for a period of 3 years (36 calendar months) from the effective date of JATC action.

Termination of Local Training Agent status upon the request of the employer shall bar the employer from reapplying for such status for a period of 2 years (24 calendar months) from the effective date of the JATC action.

Employers whose official place of business is outside the geographic jurisdiction of the JATC but who may / or are working within the geographical jurisdiction of the JATC may apply for Traveling Training Agent status. The length of their Training Agent status shall be for that period of time necessary to complete the project / contract on which they are performing. However, if the same employer obtains additional work in the geographical area of the JATC and continues to employ apprentices dispatched by the JATC, their Training Agent status shall be automatically continued. Application is to be made in the same manner as for resident employers. Each such employer must agree to comply with Oregon State, county and municipal laws, rules and ordinances and all JATC and Oregon State Apprenticeship and Training Council rules, policies, procedures, the apprenticeship standards, and the Apprenticeship Reciprocal Agreement between Washington, Oregon and Montana.

## **POLICY AND PROCESS FOR MONTHLY PROGRESS REPORTS**

Monthly Progress Reports (MPR's) are to be submitted to the Apprenticeship Coordinator at: IUOE Local 701, 555 E. First St., Gladstone, OR, 97027, on the 1<sup>st</sup> working day of the following month, but to be received NOT LATER THAN THE tenth of each month. MPR's received after the tenth of the month will be considered late, regardless of the postmark. If the 10<sup>th</sup> of the month falls on a weekend, the MPR is due the Friday before.

Apprentices are required to fill out an MPR even if they have not worked in the month being reported. MPR's must be filled out completely. Incomplete or inaccurate MPR's will not be recorded in an apprentice's record. They will be returned to the apprentice with instructions to correct errors or to complete the form. Once the MPR is corrected and returned, the hours will be recorded.

Apprentices are responsible for returning the completed or corrected MPR either by FAX, mail, e-mail or hand delivery.

**Apprentices failing to comply with the above process will be subject to disciplinary action as follows:**

### **First missing or late MPR:**

The JATC staff will send a written notice to the apprentice advising them of this policy and its provisions and expectations.

### **Second Missing or late MPR:**

Apprentices will be sent a Citation and Notice to Appear before the JATC (by Certified Mail) to discuss their status in the program. The JATC may take disciplinary action up to and including proposed cancellation of the apprenticeship agreement. A Citation/Notice to Appear is a requirement from the JATC for you to appear at its next meeting.

1. You are to answer a Notice to Appear. IN PERSON
2. If you are unable to appear, through no fault of your own, a letter of explanation is required 10 days BEFORE the meeting date.

**Third or subsequent missing or late MPR:**

Apprentices will be sent a Proposed Cancellation Notice by Certified Mail from the Training Center staff with the date to attend the JATC meeting to discuss their status. This requires you to appear IN PERSON, and show cause why you should not be canceled from the Apprenticeship Program. The JATC will take disciplinary action at the meeting up to and including cancellation of the apprenticeship agreement.

**Apprentices submitting MPR's after a Notice to Appear has been sent, are NOT automatically excused from attending the meeting.**

**NOTE: Any three violations in a twelve (12) month period will result in disciplinary action up to and including cancellation of the apprentice's agreement.**

**Any unauthorized changes or falsification in any form on an MPR is grounds for immediate for proposed cancellation,**

In the event there are unsatisfactory evaluations on an MPR, staff shall submit the evaluations to the JATC for consideration prior to any action on a rerate. Negative comments from the employer on an MPR may result in disciplinary action up to and including cancellation of the apprenticeship agreement.

## RERATE POLICY (Equipment Operators)

Apprentices shall be eligible for rerates in accordance with the following schedule of OJT and Related Training Hours:

Period	Percentage	OJT Hours	RT Hours	TSP's				May offer TSP
				GE	CR	AP	CE	XXXX
1	80%	0-2000	---	0	0	0	0	XXXX
2	85%	2001-4000	320	2	1	1	2	Between 240-320 RT hour
3	90%	4001-6000	480	3	2	2	3	Between 320-480 RT hours
4	95%	6001-8000	640	4	3	3	4	Between 480-640 RT hours
Grad	Grad	8000+	640+	4+	3+	3+	4+	

Declaring a Major: At 500 hours OJT and One Year Related Training (a minimum of 160 hours excluding pre-employment training orientation or credit for previous experience), an individual may elect a major. At one (1) calendar year or 1,000 hours OJT, an apprentice must elect a major (whichever occurs later). See page 27 of 32 from Operating Engineer Standard.

When an individual apprentice reaches the above number of OJT, Related Training Hours and TSP (s), staff will then submit notice of the rerate eligibility on the Agenda for the next JATC meeting. **A Forklift or Roller TSP-will count toward rerate and graduation. In notices to the apprentice and the employer, the effective date of any rerate granted shall be the date of the first Monday following the JATC meeting regardless of the date of eligibility for the rerate.**

TSP's will only be offered when OJT hours, Related Training hours and apprentice readiness support such offering.

**HOWEVER:**

No apprentice shall be eligible for a rerate unless they are in good standing with the union hall and all MPR's are current and employer evaluations listed on the preceding three monthly progress reports have been on time and completed.

In the event there are negative responses on an MPR, staff shall submit the evaluations to the JATC for consideration prior to any action on the rerate. Negative comments from the employer on an MPR may result in disciplinary action up to and including cancellation of the apprenticeship agreement.

## As per the MA #1041 Standards:

### Crane Operation (CR)

To complete the program in this major, an individual must have 8,000 hours OJT, 160 minimum of related training (RT) per year, three (3) TSP's (Training Standards Project equipment examinations), obtain an NCCCO Crane License which includes a core exam and at least one specialty endorsement (due to new Federal OSHA regulations), an OSHA approved forklift certification. It is also necessary to have an OSHA 10 or OSHA 30 and a current First Aid/CPR card on file with the dispatch office. TSP's consist of written and practical exams. Both must be passed and completed to earn a TSP.

### Grading and Excavation (G&E)

To complete the program in this major, an individual must have 8,000 hours OJT, 160 hours of related training (RT) per year, four (4) TSP's (Training Standards Project equipment examinations) an OSHA 10 or OSHA 30, and a current First Aid/CPR card on file with the dispatch office. TSP's consist of written and practical exams. Both must be passed and completed to earn a TSP.

### Asphalt and Paving (A&P)

To complete the program in this major, an individual must have 8,000 hours OJT, 160 hours of related training (RT) per year, three (3) TSP's (Training Standards Project equipment examinations) an OSHA 10 or OSHA 30, and a current First Aid/CPR card on file with the dispatch office. TSP's consist of written and practical exams. Both must be passed and completed to earn a TSP.

### Crane Operation/Grading Excavation (C&E)

To complete the program in this major, an individual must have 8,000 hours OJT, 160 hours of related training (RT) per year, four (4) TSP's (Training Standards Project equipment examinations), obtain an NCCCO Crane License which includes a core exam and at least one specialty endorsement (due to new Federal OSHA regulations) and OSHA 10 or OSHA 30, and a current First aid/CPR card on file with the dispatch office. TSP's consist of written and practical exams. Both must be passed and completed to earn a TSP. Forklift and Roller TSP's do not count toward graduation in this major.

## RERATE POLICY (Heavy Duty Repairers)

Apprentices shall be eligible for rerates in accordance with the following schedule of OJT and Related Training Hours:

Period	Percentage	OJT Hours	RT Hours	NO TSP REQUIRED
1	80%	0-2000	---	
2	85%	2001-3000	240	
3	90%	3001-4000	320	
4	95%	4001-6000	480	
Grad	Grad	6000+	480+	

When an individual apprentice reaches the above number of OJT and Related Training Hours as indicated in their latest complete Monthly Progress Report (MPR), staff will then submit notice of the rerate eligibility on the Agenda for the next JATC meeting. **In notices to the apprentice and the employer, the effective date of any rerate granted shall be the date of the first Monday following the JATC meeting regardless of the date of eligibility for the rerate.**

**HOWEVER:**

No apprentice shall be eligible for a rerate unless they are in good standing with the union hall and all MPR's are current and employer evaluations listed on the preceding three monthly progress reports have been on time and completed.

In the event there are negative responses on an MPR, staff shall submit the evaluations to the JATC for consideration prior to any action on the rerate. Negative comments from the employer on an MPR may result in disciplinary action up to and including cancellation of the apprenticeship agreement.

## RERATE POLICY (Technical Engineer)

Apprentices shall be eligible for rerates in accordance with the following schedule of OJT and Related Training Hours:

Period	Percentage	OJT Hours	RT Hours	NO TSP REQUIRED
1	80%	0-2000	---	
2	85%	2001-3000	240	
3	90%	3001-4000	320	
4	95%	4001-6000	480	
Grad	Grad	6000+	480+	

When an individual apprentice reaches the above number of OJT and Related Training Hours as indicated in their latest complete Monthly Progress Report (MPR), staff will then submit notice of the rerate eligibility on the Agenda for the next JATC meeting. **In notices to the apprentice and the employer, the effective date of any rerate granted shall be the date of the first Monday following the JATC meeting regardless of the date of eligibility for the rerate.**

**HOWEVER:**

No apprentice shall be eligible for a rerate unless they are in good standing with the union hall and all MPR's are current and employer evaluations listed on the preceding three monthly progress reports have been on time and completed.

In the event there are negative responses on an MPR, staff shall submit the evaluations to the JATC for consideration prior to any action on the rerate. Negative comments from the employer on an MPR may result in disciplinary action up to and including cancellation of the apprenticeship agreement.

## RERATE POLICY (Machinery Mover/Riggers)

Apprentices shall be eligible for rerates in accordance with the following schedule of OJT and Related Training Hours:

Period	Percentage	OJT Hours	RT Hours	TSP's
1	80%	0-2000	---	
2	85%	2001-3000	240	Forklift
3	90%	3001-4000	320	NCCCO Rigger 1/Signalperson
4	95%	4001-6000	480	NCCCO Rigger 2
Grad	Grad	6000+	480+	

When an individual apprentice reaches the above number of OJT, Related Training Hours and TSP or NCCCO certification, staff will then submit notice of the rerate eligibility on the Agenda for the next JATC meeting. **In notices to the apprentice and the employer, the effective date of any rerate granted shall be the date of the first Monday following the JATC meeting regardless of the date of eligibility for the rerate.**

**HOWEVER:**

No apprentice shall be eligible for a rerate unless they are in good standing with the union hall and all MPR's are current and employer evaluations listed on the preceding three monthly progress reports have been on time and completed.

In the event there are negative responses on an MPR, staff shall submit the evaluations to the JATC for consideration prior to any action on the rerate. Negative comments from the employer on an MPR may result in disciplinary action up to and including cancellation of the apprenticeship agreement.

# **Apprentice Review and Evaluation Advancement and Completion**

## **Review and Evaluation**

The JATC will regularly review and evaluate the progress of each apprentice as to job performance and related instruction.

**Schedule** – Apprentices must progress in job performance and related training, and the JATC will review the progress of each apprentice at least two times per year (generally on the 6-month anniversary date).

- a. **Additional evaluations** – Apprentices may be reviewed more frequently if they appear to be having any difficulty in the program. Depending upon the circumstances, apprentices may need to meet with the JATC to provide additional information.
  
- b. Apprentices may request an appearance before the JATC when they are due for re-rate or if they wish reconsideration of the written evaluation.

**Components** – the JATC will review the following information to determine whether apprentices are progressing in accordance with the program standard:

- a. **OJT training:**
  - 1. Minimum number of total OJT hours
  - 2. Work process distribution
  - 3. Current MPRs
  - 4. Employer evaluation regarding job attendance and punctuality, quality and quantity of work, and safety practices
  
- b. **Related classroom training** – Term results and other pertinent documentation will be reviewed for the following requirements:
  - 1. Attendance and minimum classroom hours
  - 2. Passing grade
  - 3. Instructor evaluation regarding class attendance and punctuality, quality and quantity of work, and safety practices
  
- c. **Previous Credit**
  - 1. Once an apprentice has completed the probationary period in the program the JATC may consider written requests with documentation for previous

related training credit based on transcripts or other third party forms of verification as it pertains to the apprentice's major. Additionally, the committee reserves the right to grant up to one hundred sixty (160) hours per calendar year for RT previous credit.

2. OJT previous credit will be considered and granted in accordance with the State Apprenticeship Standard pertinent to the apprentice (UEO, HDR, TE). If OJT hours are coming from another OE registered apprenticeship program then the transferring apprentice will provide the records to the JATC and the hours will be compared and granted based on the receiving programs work processes.

**d. Additional components** – Other relevant information will be reviewed as needed.

**JATC action** – After review, the JATC will take one of the following actions, note the action taken in the meeting minutes, and communicate it in writing. Evaluation and JATC action information will also be maintained in each apprentice's file.

- a. Advancement and/or completion** – If all requirements for advancement to the next period have been met, the apprentice will be rerated. If all of the program components outlined in the standard have been satisfied, the apprentice will be completed (see program standard).
- b. Non-disciplinary hold** – If any of the requirements for advancement have not been met, the apprentice will be held at their current level. The JATC will track the apprentice's progress and will take rerate action when all requirements are satisfied.
- c. Disciplinary action** – If the apprentice has failed to progress in job performance and/or related training, they will be cited to appear before the JATC.
- d. Suspension** – The JATC may take action to suspend an apprenticeship agreement if the apprentice is unable to fulfill the responsibilities of their apprenticeship for a period of time, for example medical leave, family leave, or military requirements.

**Communication** – Written notification of evaluation results and subsequent JATC action will be provided to apprentices and training agents. Copies of all notices, related correspondence, and supporting documentation will be maintained in the apprentice's file.

## **Advancement and Completion**

The JATC will advance apprentices to the next level in the wage progression when they demonstrate the required knowledge, skills and abilities.

**Criteria:** Apprentices are expected to progress in both on-the-job and related classroom training. Raises are not automatic; they are based upon meeting the following criteria:

**a. OJT training**

1. A minimum number of OJT hours must be completed prior to advancement to the next period.
2. Job attendance and punctuality, quality and quantity of work, and safety practices must be satisfactory.
3. Apprentices with missing MPRs will not advance until the reports have been submitted.
4. Employer evaluation forms must reflect the appropriateness of advancement.

**b. Related training**

1. A minimum number of classroom hours must be completed prior to advancement.
2. Apprentices must successfully complete related training classes with a 75% score or better for graded classes or written exams, appropriate to the level of training in accordance with the Related Training Scoring Guide based on the apprentice's period in the program.
3. Grade reports/instructor evaluation
4. Meet TSP requirement including any licensing requirement.

**c. Additional components** – Other relevant information will be reviewed as needed.

**d.** Apprentices who do not satisfy all advancement criteria will be held until all requirements have been met.

## Related Training Scoring Guide

### 1. ENTRY LEVEL APPRENTICE: (Period 1 – 80%)

Can demonstrate basic knowledge and skills necessary to start up and shut down equipment safely with minimal supervision in a timely manner.

- a. Can drive the machine but is nervous and timid while attempting to operate.
- b. Operates in jerky, robotic movements.
- c. Work will need follow-up by a more skilled operator.

### 2. BASIC SKILL DEVELOPMENT: (Period 2 – 85%)

Requires direct supervision and instruction while learning basic equipment operating techniques and procedures.

- a. Is not consistent with smooth, fluid operating skills.
- b. Work will often need follow up.

### 3. PRE-JOURNEYMAN: (Period 3 – 90%)

Demonstrates knowledge, skill and ability to perform basic operating techniques and procedures, but shows the need for continuing, repetitive operation of machine to become confident in all tasks.

- a. Work sometimes needs follow-up on more difficult assignments.

### 4. ENTRY LEVEL JOURNEYMAN: (Period 4 – 95%)

Has demonstrated knowledge, skill and ability to perform training assignments in an efficient and timely manner with little supervision.

- a. Displays ability to evaluate, organize and develop a strategy necessary to complete an assigned task.

### 5. EXPERIENCED AVERAGE JOURNEYMAN:

Has necessary knowledge, skills and experience to be regarded as an average, qualified, competent journeyman operator.

- a. Work will rarely need follow-up by a more skilled operator.

**6. ABOVE AVERAGE JOURNEYMAN:**

Has necessary knowledge, skills and experience to be regarded as an above average, highly qualified, competent journeyman operator.

- a. Demonstrates confidence to perform all skill tasks in a professional manner.

*Note that each number represents a range of skill; e.g. the rating 4 starts at the minimum qualification for referral as a journeyman*

# **Drug-Free Workplace Policy**

## **Purpose and Goal**

Engineer Training is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

## **Covered Workers**

Any individual who conducts business for OETC, is applying for a position or is conducting business on OETC's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to supervisors, full-time employees, part-time employees, contractors, volunteers, applicants, apprentices and Journeyman.

## **Prohibited Behavior**

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.

## **Drug Testing**

AGC-IUOE Local 701 Engineer Training Trust designates the U.S. Department of Transportation's Controlled Substances and Alcohol Use and Testing as its substance abuse testing guideline, including the preemption of state law. Medical marijuana use, or being under the influence of marijuana, or an engineered marijuana product, or synthetic marijuana product even with an

Oregon medical card is specifically not allowed at the Training Center under any circumstance. This policy also applies to any location where the Engineer Training sponsors training activities.

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation such as a physician's prescription, for the positive result; and a documented chain of custody.

Each individual that attends training classes will be required to participate in pre-employment, pre-duty, random, reasonable suspicion and follow-up testing upon selection or request of management.

Each participant will be required to take their drug test on the first day of their Related Training session.

Testing for the presence of metabolites of drugs and alcohol will be conducted by the analysis of urine.

Any participant who tests positive will be immediately removed from OETC. Any participant who tests with a negative-dilute result will need to retest immediately, but may remain at training until second test results come in.

Each participant will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

### **Consequences**

One of the goals of our drug-free workplace program is to ensure safety for all who are involved with and attend training. If, however, an individual violates the policy, the consequences are serious.

If an apprentice violates the policy they will be dismissed from Engineer Training, will not be credited Related Training (fail this session), and be subject to a JATC review.

If an apprentice fails a drug test prior to his/her scheduled Related Training session then the JATC/Apprenticeship Coordinator has the ability to notify the employer of a positive test. The apprentice waives confidentiality of the test results solely for the purpose of allowing the JATC to notify the employer.

If an individual violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An individual required to enter rehabilitation that fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment or training opportunities. Nothing in this policy prohibits the individual from being disciplined or discharged for other violations and/or performance problems.

In the case of pre-apprentices, if he or she violates the drug-free workplace policy, the pre-apprentice will be dismissed from the program.

### **Assistance**

Engineer Training recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the participant.

### **Confidentiality**

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### **Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Participants and management have important roles to play.

In addition, participants are encouraged to:

- Be concerned about working in a safe environment
- Report dangerous behavior to their supervisor/instructor.

It is the supervisor's/instructor's responsibility to:

- Inform participants of the drug-free workplace policy.
- Observe participant performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel participants as to expected performance improvement.
- Inform participants of the consequences of policy violations.

## **Communication**

Communicating our drug-free workplace policy to both supervisors/instructors and participants is critical to our success. To ensure all are aware of their role in supporting our drug-free workplace program:

- All participants will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions.