

NORTHERN CALIFORNIA LABORERS' JOINT APPRENTICESHIP TRAINING COMMITTEE

Apprenticeship Agreement and Policy Statement For Construction Craft Laborer

The Northern California District Council of Laborers' Joint Apprenticeship Training Committee (hereinafter referred to as the JATC) is a committee of representatives from both labor (the Union) and management (the contractors). They have provided this Apprenticeship Agreement and Policy Statement (hereinafter referred to as the Policy) to all apprentice candidates as a means for them to understand what will be expected of them as they become indentured into the Program.

The objective of the JATC is to conduct an apprenticeship program for the purpose of training men and women to be qualified and productive in the traditional and necessary skills of the Construction Craft Laborers' Trade. Additionally, there are sub-JAC's established throughout Northern California whose purpose is to monitor the progress of apprentices and to assess their standing in the apprenticeship program.

Upon signing this and other related documents and joining the appropriate Laborers Local Union, you will become indentured into the Construction Craft Laborers' Apprenticeship Program (hereinafter referred to as the Program). Additionally, your signature will indicate that you understand and are willing to comply with the rules and regulations of this Policy.

The JATC has appointed a Director of Apprenticeship who shall administer the Program, ensure that the Policy is adhered to by all parties and conduct the business of the JATC as directed. In addition to the Director, the Program employs Apprenticeship Coordinators whose duties include assisting the Director and providing guidance and support to the apprentices. Additionally, Coordinators make reports and recommendations to the local sub-JACs regarding potential actions pertaining to apprentices such as advancements, discipline, graduation or termination.

Term of Apprenticeship

As an apprentice, you will be performing many of the different types of work Laborers traditionally perform usually under the guidance of one or more experienced journey-level Laborers. Your apprenticeship as a Construction Craft Laborer will consist of 4,000 hours (lasting approximately two years) of paid on-the-job training (hereinafter referred to as OJT).

In addition to the OJT, apprentices are also required to take 240 hours (6 weeks) of unpaid classes (hereinafter referred to as Related and Supplemental Instruction or RSI) to complete their education. Apprentices who fail to complete the Program within three years may be called before a committee to explain the cause(s) for the delay. At that point, the committee will assess the apprentice's standing in the Program and take appropriate actions.

Initial Probationary Period

Your first 1,000 hours of OJT and 40 hours of RSI shall constitute your initial probationary period. During this period, your participation in the Program may be terminated by the JATC without the formality of a hearing or stated cause. Should you be terminated by a sub-JAC during this period, you will be given the opportunity to appeal the decision to the Master Appeals Committee for reconsideration only if your current employer attends the meeting.

Wage and Fringe Benefit Advancement

Apprentices are eligible for wage and fringe benefit advancements at each interval of 1,000 hours providing the following conditions have been met:

1. You have successfully completed all related classroom/hands-on training sessions that have been required up to that point;
2. You have met all your OJT reporting requirements;
3. You are in good standing in your local union (you are not suspended for failing to pay your monthly union dues);

Raises take effect once the hours are processed by the Training Center and the Local Union is notified of the advancement. The apprentice's employer will be notified by the Local Union.

Related and Supplemental Instruction (RSI)

Apprentices are required to complete a total of 240 hours of RSI. You will not be paid wages and you will not accumulate OJT hours during these training sessions. Newly-indentured apprentices are required to earn the following certifications before advancing to their next level: OSHA 10, First Aid/CPR, Flagging, Traffic Control and Confined Space. These classes may be taken together as part of the one-week safety certification course.

As a general rule, apprentices are required to complete 120 hours of RSI before advancing to the 3rd level. The total amount of RSI (240 hours) will be comprised of the one-week safety certification course, the two-week fundamentals of construction course (to be completed prior to advancing to 3rd period) and three weeks of elective classes chosen by the apprentice.

For apprentices who elect to take the two-week fundamentals of waste water treatment piping course as an elective, they must also take the two-week advanced course in order to graduate from the Program. This will result in seven weeks of RSI.

Sub-JACs may reduce the 240-hour requirement and make exceptions to the 120-hour rule if they have granted an apprentice credit for previous construction experience and/or training.

Apprentices must attend class when they are notified to do so. The apprenticeship office will give the apprentice (and employer if applicable) sufficient notice when the apprentice has been assigned to a class. **If the apprentice is summoned to class while the apprentice is working, the apprentice may not skip class without a written request to postpone the class from his/her employer prior to the start of the class.**

Apprentices who are between employers should make every effort to sign-up for RSI during times of unemployment so as not to interfere with their on-the-job training and possibly create a financial hardship. **While taking any classes at the Laborers Training Center (LTC), apprentices must comply with all LTC rules and policies at all times.**

RSI Requirements

Apprentices are required to pass all written tests and construction safety certifications during RSI. Should an apprentice fail any certification course (i.e. traffic control, flagging, etc.), that apprentice shall be retested during RSI (time permitting). If retesting cannot be conducted during RSI, the apprentice shall be required to complete the course(s) prior to graduating.

On-The-Job Training (OJT)

Apprentices are assigned to the local union in whose jurisdictional boundaries they reside. They will be dispatched to employers for OJT in accordance with the local union's hiring hall procedures. **You shall be obligated to accept the OJT to which you are dispatched. If you are unable to find the jobsite you must contact your coordinator immediately. A failure to do so will be considered a failed dispatch.**

OJT/Work Rotation

In an effort to expand your exposure to the many different types of work that Laborers do, the local union may remove you from a particular job site and place you on another job site. This will occur only when the JATC has determined that you can no longer accumulate required OJT hours on the job to which you are assigned and only if the local union can immediately place you on another job that would allow you to continue advancement.

Local Union Meetings

To solidify your status as a Union Laborer, you are also strongly encouraged to attend all regularly scheduled local union meetings. You will be notified of meeting dates and times.

Punctuality and Availability

It is extremely important that apprentices are dependable and punctual while participating in the Program. Absenteeism and/or tardiness during OJT or RSI will not be tolerated.

Whenever you are unemployed, you must be registered on your local union's out-of-work list and attend your local union's roll call (the first Thursday of the month). You shall make yourself available for OJT at all times (during your local union's normal dispatch hours) unless you have been granted a leave of absence.

Voluntary Termination of Employment

Apprentices may not voluntarily terminate (quit) their employment with any of the Program's participating employers. In the event that you are experiencing problems with your employer or co-workers, you are encouraged to consult with your local union and/or your apprenticeship coordinator prior to voluntarily leaving any employer. If you feel you must leave, you must inform your coordinator immediately. Failing to show up for work without the consent of your employer will also be considered voluntary termination of employment.

Involuntary Termination of Employment

If you are involuntarily terminated (fired or laid-off) you must immediately report the incident to the local union and the apprenticeship office. In the event that you are fired, the local union and/or a representative of the apprenticeship office shall investigate and report the details of the event or events that caused it to the appropriate sub-JAC. The sub-JAC will then determine whether any violations have occurred and take the appropriate action it deems necessary.

In the event you are laid-off due to lack of work, you must immediately place yourself on the appropriate hiring hall list and be dispatched to another employer in accordance with the union's hiring hall procedures.

Injuries

If you sustain an injury during your apprenticeship that prevents you from working, you must contact your coordinator within a reasonable amount of time. Should you find yourself under a doctor's care or supervision, you must provide a medical release to your coordinator prior to returning to work. You may be summoned before your sub-JAC prior to returning to work to present any medical releases. Injuries lasting longer than six months will automatically require you to appear. It does not matter if the injury was work related or not.

Apprentice Reporting Requirements

Apprentices are required to keep accurate records of their OJT on a daily basis. During your initial training or while filling out your indenture packet, you will be provided with a work record book. Your instructor and/or the apprenticeship staff will teach you how to fill it out and instruct you as to how it is to be submitted.

Records shall be submitted to the apprenticeship office on a monthly basis before the 10th of each month. Apprentices may mail or hand deliver their hour sheets to the apprenticeship office. When an electronic reporting system is created, they may be submitted electronically. **Faxing hour sheets is not permitted.** Failing to comply will cause a delay in your level and wage advancement and will result in disciplinary action.

If you fail to report your hours for three consecutive months, you may be required to appear before your sub-JAC to explain why there are not being submitted timely. **Records must be submitted even if you did not work at all during the month. Failing to submit monthly hour sheets for five months during your apprenticeship will result in your termination from the apprenticeship program.**

Falsification of Records

Filing false OJT reports or providing the sub-JAC with any false requested and/or required information may result in your dismissal from the Program. It is very important to retain a high level of personal integrity during your apprenticeship.

Local Union Dues and Initiation Fees

Pursuant to the collective bargaining agreement under which you will work, you are required at all times to maintain your membership in the local union to which you are assigned and to pay all uniformly assessed initiation fees and local union dues. **Failing to remain in good standing in your local union will result in disciplinary action up to and including terminating your participation in the Program.**

Drug Testing

Apprentices must comply with all Training Center/Apprenticeship Program substance abuse testing policy at all times. **Refusing to submit to a substance abuse test or testing positive for an illegal substance at any time during your apprenticeship will result in an immediate termination from the Program.**

Those apprentices who are terminated for such actions may be permitted to rejoin after successfully completing a rehabilitation program within 60 days of dismissal. The decision to allow for reindenture will be made by the Master Appeals Committee (more on page 6).

Discipline System

In order to be fair to all Program participants, the JATC has established a self-elimination discipline system. **All apprentices start the Program with 50 points. The loss of 50 points may result in your immediate dismissal from the Program.** The following violations are examples of misconduct and the points associated with that conduct. These examples are not meant to be a complete list of all violations. The loss of 30 points will automatically result in a notification that you must appear at a disciplinary hearing. The Director of Apprenticeship, the JATC and the sub-JACs retain the discretion to interpret and apply this system. **Apprentices may regain lost points by requesting to appear before the sub JAC. Lost points may be regained in increments of 10 provided the apprentice has no violations for the preceding 90 days. Apprentices may not recoup more than 30 points during their apprenticeship. This shall not apply to apprentices who have lost all 50 points.**

<u>Violations</u>	<u>Points</u>
Failure to notify your local union of a rehire (going back to a previous employer while on the out-of-work list)	5
Failure to notify the apprenticeship office <i>and</i> your local union of address and/or phone number changes	10
Failure/refusal to accept OJT/work assignments (including being unavailable for dispatch)	10
Failure to submit timely OJT reports (per month)	10
Unsatisfactory Instructor and/or employer reports during your participation in the Program	10
Failure to report any termination or lay-off to the apprenticeship office	10
Unexcused absences during OJT, RSI or, if applicable, roll call	10
Unauthorized termination of employment (quitting)	20
Involuntary termination of employment (fired)	20
Failure to attend RSI when notified and instructed to attend	20
Failure to remain in good standing in your local union	20
Dismissal from RSI for violating one or more training center policies	25
Failing to appear before the JAC or sub-JAC when cited and instructed to appear	25
Falsification of OJT reports	50
Knowingly initiating or participating in any activity that is intended to harm or discredit the Program, the JATC, or the Laborers Union	50
Possession or use of alcohol on Training Center property or on the job site	50
Possession or use of illegal drugs anytime during participation in the Program	50
Stealing or intentional destruction of property during OJT or RSI	50
Possession/use of weapons of any kind on Training Center property or on the job site	50
Physically assaulting anyone during OJT or RSI	50

Appeals of Termination

Apprentices may appeal any decision to cancel their participation in the Apprenticeship Program. **The appeal must be writing and received by the apprenticeship office within 30 days of the date on the termination notice. You will not be permitted to work until after your appeal hearing.** Requests received after that date will not be considered. The notice of appeal must be mailed to the Laborers Training Center in San Ramon or hand-delivered to the Training Center. Faxed notifications will not be accepted.

If an apprentice wishes to appeal a termination from the Program, he or she shall request to appear before the Master Appeals Committee (MAC). MAC meetings are held after a 30-day waiting period from the date of the notification. The MAC is a committee comprised of members of the JATC or their appointees. The MAC has the discretion to review the cause(s) of the termination, uphold the initial termination or allow the apprentice to reindenture into the Program as a step one apprentice. **An apprentice may only appear before the MAC once. If the apprentice is terminated a second time and wishes to continue in the Program, the apprentice must wait one year before reapplying.**

If the original termination is upheld or if the apprentice declines the offer to return as a step one apprentice, the apprentice may appeal the termination to the Division of Apprenticeship Standards or the Department of Labor as provided under state or federal regulations.

Apprentices within their initial probationary period may only appeal terminations and request to appear before the MAC if their employer attends the meeting and makes a case for retaining him or her and states a plan that ensures the apprentice will comply with the rules. **It must be the employer at the time of termination. A different employer will not be heard.**

An apprentice who accepts the offer to reindenture as a step 1 apprentice and who has worked and submitted at least 1,000 hours of OJT since reindenture and is in good standing with at least 30 of their 50 points may appeal to the sub-JAC to have his or her OJT hours reported to the Program credited back.

Address and Phone Number Changes

Apprentices must report any changes in their address or phone number to the apprenticeship office **and** their local union as soon as reasonably possible. Failing to do so will result in disciplinary action. Apprentices who fail to notify the apprenticeship program of address changes run the risk of missing out on important notices that will affect their standing.

Failing to report to class or appear before a sub-JAC committee because the notice was sent to the address on file which is no longer your address, will not be an excuse for missing class or a meeting. **It is very important for the office to be able to communicate with you.**

Apprenticeship Coordinators and Program Staff

All apprentices shall have their progression through the Program monitored by the apprentice coordinator assigned to the local union to which the apprentice belongs. **Apprentices are strongly encouraged to check in with their coordinator by phone or text once a month.**

The entire apprenticeship staff is there to assist you and offer you guidance and support. Apprentices are expected to conduct themselves in a respectful manner at all times when communicating or working with members of the Program and training center staff.

Leave of Absence

Apprentices in good standing may request a temporary leave of absence for up to six months from the Program due to illness, disability or personal problems that may render them incapable of participating in OJT and/or related training. **You must inform your coordinator of your decision prior to leaving.** Leaving without the proper notification will result in disciplinary action.

You shall make such requests in writing to the sub-JAC who will fairly review the merits of the request and grant such leave provided the merits of the request are genuine enough to warrant approval. **It shall be the responsibility of the apprentice to remain in good standing in his/her local union during his/her absence and to contact the apprenticeship office at the conclusion of the leave of absence.**

No more than one leave of absence shall be granted for a period not to exceed six months unless the sub-JAC determines that unusual conditions exist that may require additional leave time. Failure to return to the Program within the time allotted by the sub-JAC may result in dismissal from the Program.

It is very important to inform your coordinator of any changes to your situation while on a leave of absence. **You must also notify your coordinator upon returning from your leave.** Extended absences that have not been approved by the sub JAC are not permitted and will result in disciplinary action.

Disputes

In the case of a dispute or complaint between an apprentice and the sub-JAC, any eligible party may appeal to the JATC for resolution of the dispute. Appeals must be in writing and submitted to the Director of Apprenticeship as soon as reasonably possible. The Director and JATC will review the appeal, appoint a hearing committee, notify the involved parties in writing and schedule a hearing within a reasonable amount of time.

Termination from Apprenticeship Program

Apprentices who have had their appeals denied and are fully terminated from the Program will not be considered eligible for reentry into the Program for one year after their termination date. Apprentices who fail to complete the Program are not eligible to be considered journey-level workers and, therefore, will not be allowed to rejoin the union as journeymen. This may only be waived by an offer of reindenture made by the MAC.

Withdrawals

Any apprentice may voluntarily withdraw from the Program provided that the apprentice has submitted the Program's withdrawal request form. Apprentices who wish to rejoin after withdrawing from the Program must appear before the sub-JAC who shall have the discretion and authority to readmit an apprentice who has previously withdrawn. The sub-JAC may also require additional RSI for the apprentice to ensure the apprentice has current safety certifications.

It is important to remember that if you are having second thoughts about continuing with the Program, it is better to withdraw from the Program than to be terminated from it. Withdrawing from the Program allows you the opportunity to return prior to waiting one year.

Rights and Privileges

An apprentice may request an appearance before the sub-JAC for any reason concerning the Program. Such a request shall be made in writing to the Director of Apprenticeship for placement on the next meeting's agenda.

Apprentices also have the right to examine their own apprenticeship records kept at the Laborers Training Center. Apprentices requesting a review shall make an appointment to do so through the Director of Apprenticeship.

Amendments

The JATC reserves the right to amend the policies, rules and regulations contained in this document. In the event that an amendment becomes necessary, the JATC will provide 60 days in advance, written notices to all Program participants which will clearly describe the amendment and its effective date.

Summary

The JATC recognizes that you will make sacrifices and endure certain hardships in order to participate in the Program. However, in order to maintain the integrity of the Program and ensure its success, this policy statement must be adhered to by all participants.

If at any time you experience any problems, please do not hesitate to contact your coordinator or the apprenticeship office. Waiting for the issue or problem to resolve itself is not the best course of action. If you do not make us aware of any problems you may be experiencing concerning your participation in the Program we will not be able to advise you and offer the support and guidance you may need. Sometimes this can be the difference between graduating from the Program and getting terminated from it.

Acknowledgment

I hereby acknowledge that I have read and fully understand the entire contents of this Apprenticeship Agreement and Policy Statement. Furthermore, I agree with the intent of this document and I hereby willingly agree to wholly abide by the rules, regulations and conditions contained herein. I also understand the consequences of failing to comply with the Policy.

Apprentice Signature

Date

JAC Rep. initials

(Rev. 6/18)