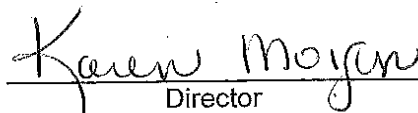



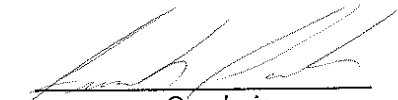
DEPARTMENT OF WORKFORCE DEVELOPMENT
BUREAU OF APPRENTICESHIP STANDARDS

MADISON, WISCONSIN

STATE APPRENTICESHIP STANDARDS
FOR THE
HEAT AND FROST INSULATION INDUSTRY


Director


Co-chair


Co-chair

APPROVED AND ADOPTED

April 3, 2012

FOREWORD

The Wisconsin Department of Workforce Development, with the advice and assistance of the State Heat & Frost Insulation Apprenticeship Advisory Committee and the Wisconsin Technical College System, has developed these standards to promote and facilitate the establishment of adequate, uniform apprenticeship programs in these trades.

The primary purpose of these standards, therefore, is to insure that all persons who enter into an agreement with an employer to learn a Heat & Frost Insulation trade and whose employer has agreed to provide the employee with instruction in that trade be properly registered as an apprentice.

“The recruitment, selection, employment, and training of apprentices during their apprenticeship shall be without discrimination because of race, color, religion, national origin, sex, age, creed, handicap, marital status, ancestry, sexual orientation, arrest record, conviction record, or membership in the military forces of the United States or this state. 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, Part 30, the Wisconsin Fair Employment Law, and all other applicable state laws.”

FINAL SECTION ALIGNMENT

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I. Definitions

- A. **Apprentice** means any Heat & Frost Insulation applicant who enters into an apprentice contract with the department and with a sponsor or an apprenticeship committee acting as an agent of the sponsor.
- B. **Apprentice Contract** means any contract or agreement of service, express or implied, between an apprentice, the department, and a sponsor or an apprenticeship committee acting as the agent of a sponsor whereby an apprentice is to receive directly from or through the apprentice's employer, in consideration for the apprentice's services in whole or in part, instruction in any trade, craft, or business.
- C. **Apprenticeship Committee** means a joint apprenticeship committee or a non-joint apprenticeship committee designated by a sponsor to administer an apprenticeship program.
- D. **Assignment** means the initial placement of an apprentice with an employer.
- E. **Bureau of Apprenticeship Standards (BAS)** is the agency within the Department of Workforce Development charged with the oversight responsibilities of Wisconsin's apprenticeship program.
- F. **Cancellation** means the termination of the registration or approval status of a program at the request of the sponsor or termination of an Apprentice contract at the request of any party to the contract.
- G. **Certificate of Completion** means the department has determined that an apprentice has successfully completed an apprenticeship shown by a certificate of completion.
- H. **Certificate of Registration** means the acceptance and recording of such program by the department as meeting the basic standards and requirements of the department for approval of such program for federal and state purposes, as shown by a certificate of registration.
- I. **Competency** means the attainment of manual, mechanical or technical skills and knowledge, as specified by an occupational standard and demonstrated by an appropriate written and hands-on proficiency measurement.
- J. **Completion rate** means the percentage of an apprenticeship cohort who receives a certificate of apprenticeship completion within 1 year of the projected completion date. An apprenticeship cohort is the group of individual apprentices registered to a specific program during a 1 year time frame, except that a cohort does not include the apprentices whose apprenticeship agreement has been cancelled during the probationary period or who have transferred.
- K. **Department** means the Department of Workforce Development (DWD) which is the state registration agency for the purposes of 29 CFR 29. The Bureau of Apprenticeship Standards is part of the Department of Workforce Development.
- L. **Electronic media** means 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.

- M. **Employee** –A person who is employed as an apprentice or journey level Heat & Frost insulator.
- N. **Employer** – Any contractor who is engaged in the insulation business qualified to employ apprentices as outlined in Section VIII of these standards.
- O. **Interim credential** means a credential issued by the department, upon request of the appropriate sponsor, as certification of competency attainment by an apprentice.
- P. **Joint Apprenticeship Committee** means an apprenticeship committee that consists of an equal number of representatives of employers and of representatives of employees who are represented by a collective bargaining agent.
- Q. **Journeyworker** means 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 and/or hold a State of Wisconsin certification.
- R. **Local apprenticeship committee** means an apprenticeship committee to which the department has delegated the authority to act under Administrative Code DWD 295.02 and 295.03.
- S. **Nonjoint apprenticeship committee** means an apprenticeship committee that consists of representatives of employers, but not of representatives of employees who are represented by a collective bargaining agent.
- T. **Quality Assurance Assessment** means a comprehensive review conducted by the department regarding all aspects of an apprenticeship program's performance (see section VI –Local Apprenticeship Committee Operations).
- U. **Reassignment** means the assignment of an apprentice from one employer to another within the same apprenticeship program.
- V. **Registration of an apprentice contract** means the acceptance and recording of an apprentice contract by the department as evidence of the apprentice's participation in a particular registered apprenticeship program.
- W. **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 of equivalent value, electronic media, or other forms of self-study approved by the department.
- X. **Sponsor** means any local committee operating an apprenticeship program and in whose name the apprenticeship program is approved by the Bureau of Apprenticeship Standards.
- Y. **Sponsor Training Center** an education source that provides related instruction as approved by the Bureau of Apprenticeship Standards.

- Z. **State Committee** - The Wisconsin State Heat & Frost Insulation Workers Apprenticeship Advisory Committee is advisory to the Department of Workforce Development and the Bureau of Apprenticeship Standards on matters of apprenticeship and to the Wisconsin Technical College System (WTCS) on matters of related instruction for apprentices.
- AA. **Transfer** means a shift of apprenticeship registration from one program to another where there is agreement between the apprentice and the affected apprenticeship committees or program sponsors.
- BB. **Unassignment** means the temporary interruption of an apprentice contract.
- CC. **Wisconsin Apprenticeship Advisory Council** means the council created by WI Stats. 15.227 (13).
- DD. **Wisconsin Technical College System** is a publicly funded system of colleges subject to Chapter 38 of the WI State Statutes and Technical College System Administrative Rules.

II. Personnel of the State Heat & Frost Apprenticeship Advisory Committee

The intention is to have fair representation from local committees on the state committee. The Bureau of Apprenticeship Standards (BAS) will ensure that all areas of the state are properly represented on each state trade committee.

- A. Employer representative names will include nominees submitted to the Bureau of Apprenticeship Standards (BAS) by the local contractors' association who employs journey workers and apprentices at the trade.
- B. Employee representative names will include nominees submitted to BAS by Local 19 and Local 127 Heat & Frost Insulators Union. Members will be appointed from the Northern and Southern Committees.
- C. Members will serve for a term of three years and may be re-nominated for further terms. Committee memberships will be staggered to maintain continuity in functioning.
- (1) Members must be currently and actively participating in the trade and are required to attend at least 75 percent of the meetings over the term of their appointment.
- (2) Members must represent organizations that are actively involved with training apprentices at the local level; or
- (3) Be involved in the development of emerging trades; or
- (4) Have been involved in the training of apprentices in the last two years.
- D. Exceptions to these requirements can be made by the BAS in order to expand female and minority participation on committees.
- E. The BAS may also designate consultant members to serve as non-voting members, as needed. The WTCS representatives, industry apprenticeship coordinators, instructors and other interested parties in the apprenticeship program may advise and consult with state committee, but they are not allowed to serve as voting members

- F. The State Heat & Frost Insulation Apprenticeship Advisory Committee generally meets at least twice each year and their membership includes equal numbers of employer and employee members who have been nominated by organizations involved at the local committee level
- G. The committee operates on a consensus based decision-making process. This means that there may be concerns after discussion, but the committee members may consent to the proposal anyway and allow it to be adopted. Therefore, reaching consensus does not assume that everyone must be in complete agreement, but that all members can live with the decision. When the committee cannot reach consensus, the BAS will make the final decision.
- H. The Bureau may remove a person from membership on a committee for one or more of the following reasons:
 - (1) Failure to attend at least 75% of the committee meetings over the term of the appointment, unless excused by the Bureau for good cause.
 - (2) Failure to meet the membership requirements under paragraph II C unless an exception is granted under II D as noted above.
 - (3) Violation of any state apprenticeship statute, rule or standard.
- I. Vacancies may be filled, or representatives changed in term, at the request of the appropriate association.

III. Duties of the State Heat & Frost Insulation Apprenticeship Advisory Committee

- A. Recommend/advise on policy and/or program changes in the trade.
- B. Formulate minimum state standards (and review them every five years) for the trade and make recommendations on changes to the Bureau including:
 - (1) the period of training
 - (2) minimum work process requirements
 - (3) related instruction
 - (4) probation period
 - (5) employer requirements to serve as a trainer
 - (6) journey level worker/apprentice ratios
 - (7) apprentice reviews
 - (8) apprentice selection process (AA/EEO requirements)
 - (9) local committee review-assist local committees and/or sponsors in developing selection procedures which are bias free and which ensure minorities and women are considered
- C. Recommend curriculum, related instruction and delivery service requirements for the trade to the Bureau and the Wisconsin Technical College System (WTCS).
- D. Assume statewide leadership for the purpose of improving conditions and expanding the number of employers using apprentices in the trade.
- E. Support the state program of training for apprentices.

- F. Prepare a policy for the trade on proficiency assessment/testing (for work experience and course work) to be utilized by local committees in determining apprenticeship credit for previous experience/education.
- G. Review and monitor local committee activity levels (including biennial reports) and recommend changes in AA/EEO operations where appropriate.
- H. The committee will follow these operational guidelines:
 - (1) Meet at least a minimum of two times a year.
 - (2) Elect of the Committee co-chairs; an employer representative and an employee representative.
 - (3) Conduct meetings in conformity with Wisconsin open meeting law.
 - (4) A meeting quorum exists when at least two (2) employer and two (2) employee representatives are present.
 - (5) Official meeting minutes will be prepared by the Bureau of Apprenticeship standards.
 - (6) Committee recommendations will be made by consensus.

IV. Personnel of Local Committees

Local Apprenticeship Committees, either joint or non-joint, are created much the same as State Heat & Frost Insulation Apprenticeship Advisory Committee. Each local committee has a minimum of four (4) voting members, generally comprised of employer and employee members.

- A. Multi-trade local committees are authorized provided that at least one member of the committee is a member of the apprentice's trade that is being reviewed.
- B. The BAS requests nominations from associations that have apprenticeship programs and employer/employee organizations that participate in the Wisconsin apprenticeship program.
- C. Joint apprenticeship committees have equal numbers of employer and employee representatives.
- D. Employer members must currently work at the trade or represent those who employ skilled workers of the trade and have trained apprentices in the last five years. Local employer organizations representing contractors who employ journeymen and apprentices at the trade will nominate employer members.
- E. Employee members must be active journeymen or represent active journeymen. Local Labor Organizations representing skilled workers in the area will nominate employee members.
- F. Non joint apprenticeship committees consist of a minimum of four voting members that consist of representatives of employers that participate in Wisconsin's Apprenticeship program. When there is no area employer organization, the BAS will request the state-wide employers' organization or state trade apprenticeship committee to assist it in locating qualified employers to serve.
- G. Exceptions to these requirements can be made by the BAS in order to expand female and minority participation on the committees.

- H. In order for a Local Apprenticeship Committee to be recognized as advisory to the BAS, each member must be designated by the BAS. After nominations have been submitted, the BAS will finalize the committee membership. Before membership is finalized, the BAS will ensure that females and minorities are represented on the committee, where they are employed in the skilled workforce. Membership is finalized with a letter from the BAS confirming the committee membership to committee members. No person is considered a committee member until they have been so designated.
- I. Each Local Apprenticeship Committee is assigned a geographical area by the BAS. The committee may be expected to advise the BAS and the WTCS on all apprenticeship matters in the trades covered by the committee. The assignment of the area may be based on several factors such as; the union jurisdiction, WTCS boundaries, population centers, or others.
- J. Members will serve for a term of three years and may be re-nominated for further terms. Terms will be staggered to ensure that continuity of the committee is maintained.
- K. Members must attend at least 75% of the meetings over the term of their appointment, unless excused for good cause.
- L. The Bureau may remove a person from membership on a committee for one or more of the following reasons:
 - (1) Failure to attend at least 75% of the committee meetings over the term of the appointment, unless excused by the Bureau for good cause.
 - (2) Failure to meet the membership requirements under paragraph IV G, unless an exception is granted under IV E as noted above.
 - (3) Violation of any state apprenticeship statute, rule or standard

V. Local Apprenticeship Committee Functions and Duties

- A. Ensure that employer and apprentice applications are processed in a timely manner. Ensure that apprentices are properly registered in conformity with Wisconsin Apprenticeship regulations.
- B. Establish Local Standards. The local committee must use the State Heat & Frost Insulation Apprenticeship Advisory Committee Standards for their trade as a guide in the operation of the apprenticeship program in their area. Provisions drawn from local collective bargaining agreements must conform to the minimum requirements of the State Carpenter Standards.
- C. Development and implement selection procedure and an affirmative action plan to meet the requirements of DWD 295 and 296 and the Wisconsin Apprenticeship Manual. The committee processes applications for apprenticeship and this method must be spelled out clearly in the selection procedures. The selection procedures must also be available for applicants to review.

- D. Recommend to the BAS credit for previous experience/education in conformity with State Heat & Frost Insulation Apprenticeship Advisory Committee policy and procedures.
- E. A committee will have a written procedure for assisting apprentices in their area who are out of work, so that the best possible effort can be made to get them back to work.
- F. Approve employers for apprenticeship training purposes in accordance with State Heat & Frost Apprenticeship Advisory Committee Standards (and para. VIII below). All employer applications for apprentices must be reviewed by the committee. Ensure that employers provide apprentices with the required range of work process experience and safeguard the training of apprentices on the job.
- G. Maintain records of each apprentice in the committee's program. The local committee must review and ensure that adequate classroom and work/on-the-job records are kept for each apprentice.
 - (1) Each committee must have a record of applications, active apprentices, apprentice progress records, affirmative action efforts, transfers, etc.
 - (2) Local committees must have a system for receiving progress records from each apprentice. These records must be received regularly.
 - (3) Local committees must get regular reports on each apprentice's grades and attendance from the approved training provider.
 - (4) Review and make sure that adequate classroom and on-the-job records are kept for apprentices. All reviews should be in writing. All apprentice records must be maintained for five years after the last apprentice action.
- H. Review and evaluate apprentice classroom and on-the-job performance on a regular basis, as recommended by the State Heat & Frost Apprenticeship Advisory Committee, (at least annually and a minimum of two times during the term of the Apprentice Contract, in person) and before recommending completion to the Bureau. All reviews must be in writing.
- I. Review the status and progress of every apprentice prior to the end of the probationary period and recommend any appropriate action to the employer. Apprentices should be interviewed in person by the committee at least twice during their apprenticeship, with one review prior to the end of their probationary period so their progress at work and at school can be discussed with the apprentice. Employers and supervisors should also be interviewed, so that all viewpoints are available to the committee.
- J. Encourage parties to Apprentice Contracts to bring their complaints before the committee. If either the employer or the apprentice has a grievance about their program, it is important to bring this matter before the committee first, rather than make an official complaint directly to the BAS. If the committee does not make a satisfactory adjustment, then the complainant must be told how to appeal in writing to the BAS.
- K. Local committee standards will have a consistent transfer policy that addresses the transfer of apprentices from one sponsor to another. The committee must assure that transfer forms are properly signed by all parties and forwarded to the BAS promptly.

- L. Recommend to the BAS, credit for previous experience and education in conformity with State Heat & Frost Apprenticeship Advisory Committee policy and procedures.
 - (1) Credit should be granted prior to the end of the probationary period, or at least as soon as a proper evaluation can be made of the credit request.
 - (2) Apprentices may be granted credit for previous work or school experience.
 - (3) Such credit should only reflect actual work time that relates directly to the trade or school time relating directly to the trade related instruction.
 - (4) Any party to the Apprentice Contract may forward a request for credit to the committee (apprentice, employer, the BAS or the committee). Third parties may supply supporting information to the committee for consideration in the determination process.
- M. If the BAS approves the committee's recommendation of credit and such credit advances the apprentice to a higher wage, then that wage must apply. All credit recommendations of the committee, approved or denied must be made in writing and forwarded to the BAS. Work and school time credit served, under a prior Wisconsin apprentice contract in the same trade, must be credited at once, unless a written reason is presented and approved by the BAS.
- N. Recommend completions of apprenticeship to the BAS. The committee should review each apprentice's record and make a recommendation to the BAS on the apprentice's eligibility to be completed.
- O. Make reports and recommendations to the BAS and the State Heat & Frost Apprenticeship Advisory Committee. Each area committee must keep the BAS and the State Heat & Frost Apprenticeship Advisory Committee informed of their activities and their suggestions for program improvements.
- P. Keep minutes of each committee meeting and submit copies to the BAS. The committee must submit a copy of the minutes of each of its meetings. Failure to submit copies of the minutes could result in the termination of the committee's designation and deregistration of the committee.
- Q. Advise and inform the public on projected apprentice openings, where applicable.
- R. Advise the BAS and technical colleges or provider of related instruction on all matters pertaining to related instruction in the committee area. Assist in securing related instruction with the state and/or area WTCS districts.
- S. Respond to surveys and questionnaires sent by the BAS regarding information on participating employers, apprentices, meetings held, and AA/EEO progress.
- T. Meet in conformity with the Wisconsin Open Meeting Law.
- U. Actively participate in statewide trade or industry marketing and apprenticeship promotion. Report back to the respective nominating organizations and keep them fully informed and active in promoting the local program.
- V. Recommend modifications to ratios in state standards to help meet area workforce needs in conformity with bargaining agreements, where applicable.

VI. Local Apprenticeship Committee Operations

- A. The committee elects its own officers.
- B. The committee is responsible for recording the committee's proceedings.
- C. All meetings must be called and conducted in accordance with Wisconsin's Open Meeting Law.
- D. Notice of all meetings of the committee must be provided to all committee members, the Bureau Representative, and the WTCS School Representative, when appropriate.
- E. A meeting may be called by either a committee member, the Bureau Representative or the WTCS Representative.
- F. The Bureau, State or Local Committees may request interested organizations to have a representative serve as a Consultant. Consultants may include: WI Technical College representatives; Industry Apprenticeship Coordinators; Apprenticeship Instructors; Employer and Employee Organization representatives; appropriate Community Based organizations. Consultants, guests, Bureau Representatives and WTCS Representatives are not permitted to vote; only designated members are permitted to vote.
- G. Local committees will meet at least two times each year or as prescribed by the State Heat & Frost Insulation Apprenticeship Advisory Committee.
 - (1) Joint Apprenticeship Committees. A meeting quorum exists when at least one employer and one employee representative is present. In the case of unequal representation, the members present shall vote for those absent from their group.
 - (2) Non-Joint Committees. A meeting quorum exists when at least two members are in attendance.
 - (3) When holding a local committee meeting, it is suggested that committees follow a formal procedure similar to the following:
 - i. Call to order by presiding officer. This meeting is called to order in accordance with Wisconsin's Open Meetings Law.
 - ii. Roll Call of Committee members.
 - iii. Review and approval of minutes from last meeting.
 - iv. Reports.
 - v. Old Business.
 - vi. New business.
 - vii. Affirmative Action report.
 - viii. Communications and miscellaneous matters.
 - ix. Next meeting date.
 - x. Discussion.
 - xi. Closed meeting portion (motion to close the meeting must be made in accordance with the Wisconsin Open Meetings Law). Include time.
 - xii. Adjournment.

H. Compliance Reviews

BAS staff will conduct periodic Compliance Reviews of local committees to determine whether local committees are complying with their approved Affirmative action Plan and Selection Procedures.

BAS evaluates the committee performance in accordance with chapter 7 of the Wisconsin Apprenticeship Manual in administering the committee's apprenticeship program to determine that all requirements are being satisfactorily met and that any necessary corrective action is being implemented.

I. Liability of Local Committees

- (1) Should the committee or any member be subject to any legal action as a result of recommendations made in the conduct of Local Apprenticeship Committee business, the BAS will, if it has concurred with the recommendations, assume responsibility for representing the committee or committee member.
- (2) The committee or member must have clearly indicated in writing to all affected parties that the recommendation was appealable to the BAS. Failure to do this may abrogate BAS's responsibility.

VII. Minimum Qualifications of Apprentices

- A. The applicant must be at least 18 years of age.
- B. The committee has determined the minimum educational requirements shall be a high school graduate or possess a General Education Development Certificate or have a high school equivalency certificate.
- C. The applicant may be required to submit to urinalysis drug testing as directed by the Committee at the time of placement with an employer. Cost of testing to be paid by the Committee.
- D. All applicants shall be required to take and pass an aptitude test as directed by the local Committee.

VIII. Minimum Qualifications of Employers

- A. An employer, to be eligible to have an apprentice, must be financially reliable and must have had at least twelve (12) consecutive months of experience as an insulation contractor, and be a regular employer of Heat and Frost Insulators.
- B. In order to be approved to employ an individual with an Apprentice Contract, the contractor must have facilities and regularly engage in and perform the diversified types of work necessary to properly train the apprentice, or must agree to permit the committee to reassign the apprentice for such phases of the work the employer may not have if the committee deems it necessary.

- C. The employer must agree to the provisions of these standards of apprenticeship.
- D. Employer applications for apprentices must be reviewed by the committee. The committee recommends approval or disapproval of each employer's request for an apprentice.
 - (1) The committee recommends approval or disapproval of each employer's request for an apprentice. This recommendation must be made within 40 days.
 - (2) If approval is recommended, the BAS may proceed with the preparation of the contracts.
 - (3) If, however, the committee recommends denial, the employer must be notified in writing of the committee's reasons and a copy of the notice must be provided to the BAS.
 - (4) The committee must also inform the employer how to appeal if the employer disagrees with the recommendation.
 - (5) All appeals must be investigated by the BAS and will be reviewed with the committee before the BAS makes its final disposition of the application.
- E. The employer must provide evidence of and must maintain Unemployment Insurance and Worker's Compensation coverage throughout the term of an Apprentice Contract.

IX. Ratio of Apprentices to Journeyworkers

- A. Any qualified employer may employ one apprentice.
- B. Thereafter, the total ratio shall be one (1) apprentice to three (3) journey workers (i.e., 1:1, 2:6, 3:9, 4:12, etc.)

X. Apprentice Contracts

All apprentices shall have a contract in compliance DWD 295.07 with a local committee. Apprentices are assigned to an employer by a letter of assignment.

- A. Each copy of the contract will contain the term of the apprenticeship, the approved Trade Information (Exhibit A), the credit recommended (if any) and any special provisions.
- B. Individuals that make application and are registered through the application of Administrative Rule DWD 295.10 shall be registered directly with a local committee.

XI. Apprenticeship Term

The term of apprenticeship shall be four (4) complete years of not less than 6,240 hours.

- A. Competency-Based Approach. Local committees who choose to employ a competency-based approach to apprenticeship must comply with the following requirements:

- (1) The occupation must be recognized and approved as a competency-based apprenticeable occupation. If the program is not approved by US DOL as a competency based program, the sponsor must consult with the BAS to determine if it is suitable as a competency based program.
- (2) The on-the-job learning component of the apprenticeship program must be identified in the program standards.
- (3) The related instruction component of the competency-based approach must comply with all of the provisions of DWD 295 as referenced in the Wisconsin Apprenticeship Manual.
- (4) Program sponsors must identify within the program standards the required competencies that must be mastered within the program standards, and the required competencies that must be mastered by the apprentice during their apprenticeship.
- (5) Successful completion of the term of apprenticeship will require that the apprentice demonstrate mastery of identified competencies.
- (6) Demonstration of the acquisition of the identified competencies must be determined by both written and hands-on proficiency evaluations.
- (7) All testing and evaluation of the identified competencies must occur in a controlled learning environment that permits accurate and verifiable results by a qualified proctor.
- (8) Program sponsors must identify and document the methods and means used to qualify testing and evaluation proctors.

B. Time Based Approach

The time based approach is the traditional term of apprenticeship and the term is stated in years, months or hours or a combination of thereof. This approach measures an individual skill through completion of at least 6,240 hours of on-the-job learning as described in a work process schedule.

C. Hybrid Approach

Local committee's that choose to use the hybrid approach to apprenticeship measures an individual's skills through a combination of hours of on-the-job learning and successful completion of competency as described in a work process schedule. The program must comply with the guidelines for the competency-based portion of the apprentice's term of apprenticeship.

XII. Probationary Period:

The probationary period cannot exceed 25 percent of the length of the program or 1 year, whichever is shorter. There shall only be one probationary period for each Apprentice Contract, regardless of the number of employers with whom the apprentice works during that period.

During the probationary period, the apprentice or local committee may void the contract by written notice to the Bureau.

- A. After expiration of the probationary period there must be good cause provided the Bureau for the cancellation of the Apprentice Contract.
- B. Employers may request cancellation of their Letter of Assignment with an apprentice during the probationary period upon written notice to the local committee. However, the local committee may choose to place the apprentice with another employer.

XIII. Related Instruction Attendance

Apprentices will attend the appropriate Technical College or other approved training provider and successfully complete the prescribed course materials for the trade for no fewer hours than specified in the Trade Information attached to these Standards unless otherwise approved by the Bureau and the State Committee.

- A. Heat & Frost Insulation apprentices shall attend a minimum of 400 hours of paid related instruction and take such subjects and for such period of time as the Local Committee requires; to include Transition to Trainer.
- B. Apprentices must attend school during the thirty day period following a lay-off. School attendance during this 30 day period shall be paid for by the most recent employer, as an obligation originally assumed by the employer unless the apprentice has been terminated for violation of the employer's written work rules.
- C. Apprentices shall attend unpaid related instruction on their own time and take such subjects as the local committee requires as stated in Special Provisions.

XIV. Schedule of Work Processes

See Trade Information (Exhibit A) attached or as approved by the State Heat & Frost Insulation Apprenticeship Advisory Committee.

XV. Conditions of Work

- A. Apprentices will have the same hours of employment and be subject to the same conditions for overtime as the journeyworkers with whom they work. They shall work under the direct supervision of a journeyworker on all work normally performed by such journeyworkers.
- B. Hours of employment shall not conflict with the hours specified for related instruction or with Federal or State regulations.
- C. Apprentices who have successfully completed one (1) year of training as an apprentice and completed a minimum of 80 hours of paid related instruction may work under the indirect supervision of a journey worker for commercial work. This means he/she must have immediate access to a journey worker via phone, pager, radio or other electronic means.

- D. During the fourth year, the apprentice shall be permitted to work without direct supervision at the fourth year rate of pay, but shall not be permitted to supervise another apprentice or workers under them.

XVI. Continuity of Employment

- A. It shall be the duty of the Local Committee, insofar as possible, to provide the apprentice with reasonable continuous employment by the reassignment of laid off apprentices to other employers who have work.
- B. When it is shown in the apprentice reviews that an employer cannot provide the required instruction in the trade, the local committee may reassign the apprentice to another employer, subject to the approval of the BAS.

XVII. Evaluation and Completion of Apprentices

- A. Local committees are expected to require apprentices and their employers to keep the committee informed of the progress of each apprentice. This information must be provided so the committee can review the apprentices' progress at least once annually.
 - (1) The first such review of an apprentice shall be done in person prior to the expiration of the probationary period.
 - (2) The BAS, the employer of record, and/or the applicable area local apprenticeship committee must be provided with timely reports on attendance, progress, and grades on each apprentice. Local committees shall make arrangements with the school that provides related instruction to receive grades and/or progress reports on each apprentice so these records can become a part of each apprentice's review.
- B. Local committees are required to maintain a current "apprentice work record" system so that the committee can get feedback from each apprentice as to the type of work experience they are receiving and the hours of school they are attending. These records are required to be submitted at least monthly.
- C. Local committees shall maintain an apprentice evaluation system so that the committee can get regular feedback from the employers on each apprentice's progress. These reports should be received prior to each apprentice's review.
- D. A summary of each apprentice's review shall be made in writing to the apprentice and where deficiencies exist, a clear defined goal set for correction of the deficiencies and an indication of the penalty (i.e. cancellation) if the goals are not met.
- E. Within a reasonable period of time before expiration of the apprenticeship, the local committee shall review the apprentice in person by a final review or examination.
 - (1) If the apprentice successfully completes such review or examination, the committee shall recommend to the BAS that a Certificate of Completion be granted by the BAS.

- (2) If the apprentice fails to meet all provisions of their Apprentice Contract, the final review and/or examination, the committee may recommend to the BAS, that the apprentice's apprenticeship should be extended for a period of time, not to exceed one calendar year.

XVIII. Cancellation of Apprentice Contracts

The State Committee and the BAS require that each local committee maintain clear records to substantiate a recommendation for cancellation of an apprenticeship. When a party to the contract requests cancellation of the contract, the BAS will send a 20-day Intent to Cancel Notice to all parties to the contract. The notice states that the contract will be cancelled 20 calendar days from the date of the Notice, unless the BAS receives written objection from any party within the 20 day period.

- A. Employers are required to provide the local committee with written cause for terminating an apprentice (to include reductions in force) to the local committee.
- B. Apprentices may request cancellation of the program by providing a written request to the local committee.
- C. A local committee may request cancellation of the Apprentice Contract after the probationary period has expired by making such request with reasons to the BAS and Committee in writing.
- D. The BAS will consult the local committee before taking final cancellation action.
- E. The local committee may recommend cancellation to the BAS of an Apprentice Contract on its own motion, after proper notice to the parties of the Apprentice Contract.

XIX. Right of Appeal

In the case of a dispute between the apprentice and the employer with regard to an Apprentice Contract, either party may appeal in writing to the local committee to adjust the matter. Either party thereafter may appeal the recommendations of the committee to the Bureau regarding any part of the Apprentice Contract.

- A. In cases of a problem or dispute involving a matter of policy or local standards, the matter shall be referred to the State Heat & Frost Insulation Apprenticeship Advisory Committee for review.
- B. If the State committee cannot satisfactorily resolve the matter, it will provide the BAS with its recommendations.
- C. All applicants, employers or apprentices have the right of appeal to the BAS on any recommendation or action taken by the local committee. The advisory status of a local committee shall include the following statement in their disciplinary actions or denial correspondence:

"Should you feel the recommendation or action taken by the local Apprenticeship Committee to be contrary to the area apprenticeship standards, you have the right to appeal in writing to the Department of Workforce Development, Bureau of Apprenticeship Standards, stating the

specific section of said standards or addendum to same which you feel was violated.”

- D. Any party to the contract may file an appeal in writing within 20 days of the final decision. When an appeal is received the BAS Director will review the appeal and issue a written determination within 40 days of the appeal.
- E. If requested in writing within ten days by one of the parties, the Bureau Director’s decision may be appealed in writing the DWD Legal Counsel. The DWD Legal Counsel will review the case and issue a final determination within ten days.
- F. Right to Hearing. A dissatisfied party may file a written request with the BAS or the DWD Legal Counsel for a formal administrative hearing to review the reasonableness of a DWD order as outlined in Chapter 5 of the Wisconsin Apprenticeship Manual. DWD shall respond to a request for an administrative hearing within 20 days. DWD has the discretion to determine whether or not it will hold a hearing. DWD’s final decision is reviewable in Circuit Court.
- G. Items not Subject to a Hearing. Actions of the employer that involve the employment relationship and not the apprenticeship program are not subject to a hearing. Violations of employer work rules may not be subject to a hearing contingent upon a review that the employer is not illegally discriminating in its administration of apprenticeship policy.

XX. Modification of Standards

- A. Local standards may be modified by the local committee if such modifications are in conformance with these State Standards and approved by the BAS.
- B. The minimum requirements set forth in these Standards shall not be altered by virtue of any collective bargaining agreement.

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Exhibit A - Program Provisions

Approved: April 3, 2012

TERM OF APPRENTICESHIP: The term of apprenticeship shall be Time-based, which has been established to be 4 years of not less than 6,240 hours. Hours of labor shall be the same as established for other skilled employees in the trade.

PROBATIONARY PERIOD: The probationary period shall be the first 12 months of employment, but in no case shall it exceed twelve calendar months. During the probationary period, this contract may be cancelled by the apprentice or the sponsor upon written notice to the Department, without adverse impact on the sponsor.

SCHOOL ATTENDANCE: The apprentice shall attend the Wisconsin Technical College System or other approved training provider, as assigned, for paid related instruction four hours per week or the equivalent and satisfactorily complete the prescribed course material for a minimum of 400 hours, unless otherwise approved by the Department. The employer must pay the apprentice for attended related instruction hours at the same rate per hour as for services performed.

WORK PROCESS SCHEDULE: In order to obtain well-rounded training and thereby qualify as a skilled worker in the trade, the apprentice shall have experience and training in the following areas. This instruction and experience shall include the following operations but not necessarily in the sequence given. Time spent on specific operations need not be continuous.

<u>Work Process Description</u>	<u>Approximate Hours</u>		
	(Min	-	Max)
PIPE COVERING: (Including) Plumbing Heating Cold or Refrigeration	2800		
EQUIPMENT: (Including) Hot Cold or Refrigeration Miscellaneous	1240		
DUCT COVERING: (Including) Blanket Rigid	1200		
MISCELLANEOUS: (Including) Materials Handling Scaffold Erecting and Handling	600		
Paid Related Instruction	400		
TOTAL	6240		

The above schedule is to include all operations and such other work as is customary in the trade.

MINIMUM COMPENSATION TO BE PAID:

The base skilled wage rate is \$_____ per hour.

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Exhibit A - Program Provisions

The apprentice wage scale is deemed adequate when, during the term of training, it averages 60% of the current journeyworker rate.

Base skilled wage rate N/A per hour.

If at any time the base skilled wage rate rises or falls, the apprentice's wage shall be adjusted proportionately. The wage rate of apprentices employed in this trade and this firm shall be based on the base skilled wage rate stated above.

All apprentices are covered by State and Federal Wage and Hour Standard requirements. All apprentices shall be paid no less than the minimum wage established under regulations.

CREDIT PROVISIONS: The apprentice, granted credit at the start or during the term of the apprenticeship, shall be paid the wage rate of the pay period to which such credit advanced the apprentice.

Work credit hours approved:	N/A
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School credit hours approved:	
Paid related instruction:	N/A

Unpaid related instruction:	N/A
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Total credit hours to be applied to the term of the apprenticeship:	N/A
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SPECIAL PROVISIONS:

An apprentice in his/her final year must complete the Transition to Trainer Course.

When the apprentice is attending school while laid off, the last employer will pay for the hours of attendance during the first 30 days following layoff, at a minimum.