



State Apprenticeship Standards

for the

Arborist Industry

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Prepared by the
Bureau of Apprenticeship Standards
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State Arborist Apprenticeship Advisory Committee

STATE OF WISCONSIN
**DWD**
Department of Workforce Development

FOREWORD

These Apprenticeship and Training Standards for the Arborist Trade is sponsored by the State Arborist Advisory Committee.

The increased skills and versatility needed today by the trades require, as never before, the thorough all-around training and experience provided through apprenticeship as conducted under modern methods.

To meet this need State Arborist Apprenticeship Advisory Committee was implemented by the Department of Workforce Development, Bureau of Apprenticeship Standards. Members have been nominated by the respective organizations representing these occupations and have been designated as advisory to the Department in matters relating to the Arborist Industry.

These Standards have been adopted as a guide and the minimum standard for employers, employees, and Technical Colleges throughout Wisconsin.

These standards are consistent with the Wisconsin Apprenticeship Law, Wis. Stats. Chapter 106, Wis. Admin Code DWD Chapter 295, Wis. Admin Code DWD 296 and with the Wisconsin Apprenticeship Manual as revised.

FINAL SECTION ALIGNMENT

- I. Definitions
- II. Administration
- III. Personnel of State Arborist Apprenticeship Advisory Committee
- IV. Duties of State Arborist Plant Apprenticeship Advisory Committee
- V. Personnel of Local (In-Plant) Committees
- VI. Duties of Local (In-Plant) Committees
- VII. Minimum Qualifications of Apprentice Applicants
- VIII. Minimum Qualifications of Employers
- IX. Ratio of Apprentices to Journeyworkers
- X. Apprentice Contracts
- XI. Apprenticeship Terms
- XII. Probationary Period
- XIII. Related Instruction Attendance
- XIV. Schedule of Work Processes
- XV. Conditions of Work
- XVI. Continuity of Employment
- XVII. Evaluation and Completion of Apprentices
- XVIII. Credit for Previous Experience
- XIX. Appeal Procedures/Right of Appeal
- XX. Modification of Standards

I. Definitions

- A. Apprentice - Apprentice means any person 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 -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. Bureau of Apprenticeship Standards (BAS) - is the agency within the Department of Workforce Development charged with the oversight responsibilities of Wisconsin's apprenticeship program. BAS approves all Apprentice Contracts in accordance with Chapter 106 of the Wisconsin Statutes.
- D. 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.
- E. 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.
- F. Completion rate 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.
- G. Department - The Department of Workforce Development 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.
- H. DNR—The Wisconsin Department of Natural Resources.

- I. 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.
- J. Employee - Such person as employed in the occupations approved for apprenticeship with the employer.
- K. Employer/Sponsor means any person, firm, or corporation regularly engaged in the hiring or training of apprentices that re qualified to train apprentices.
- L. Interim credential means a credential issued by the department, upon request of the appropriate sponsor, as certification of competency attainment by an apprentice.
- M. Journey Worker– 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 demonstrated abilities as a skilled worker with or without a journey level card.
- N. Local Committee – means an in-plant committee.
- O. Quality Assurance Assessment means a comprehensive review conducted by the department regarding all aspects of an apprenticeship program’s performance.
- P. 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.
- Q. Registration of an Apprentice Contract means 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.
- R. Sponsor means any employer operating an apprenticeship program and in whose name the apprenticeship program is approved by the Bureau of Apprenticeship Standards
- S. State Board - The State Board of the Wisconsin Technical College System.

- T. State Committee - The State Arborist Apprenticeship Advisory Committee is advisory to the Department of Workforce Development on matters of apprenticeship and to the Wisconsin Technical College System (WTCS) on matters of related instruction for apprentices.
- U. 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.
- V. Unassignment means the temporary interruption of an apprentice contract.
- W. 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. Administration

The administration of local Standards shall be the responsibility of the sponsor (employer). The employer is responsible for the apprentices' instruction and experience as outlined in the schedule of work processes, for the attendance at related instruction classes, and for notifying the Bureau of Apprenticeship Standards in writing of all action as required by the Standards.

III. Personnel of State Arborist Apprenticeship Advisory Committee

PURPOSE: Formulate Minimum State Standards (and review them every five years) for the occupation and make recommendations regarding changes to the Bureau of Apprenticeship Standards.

This Committee shall be composed of no less than three (4) nor more than twenty (20) members. The intention is to have fair representation from local committees on the state committee. The Bureau will ensure that all areas of the state are properly represented on each state occupation committee.

- A. Employer representative names will include nominees submitted to the Bureau of Apprenticeship Standards (Bureau) by employers or professional organizations training apprentices in the Arborist Occupation
- B. Employee representative names will include nominees submitted by employee organizations or in-plant local committees to the Bureau. In cases where there is no in-plant local committee, nominees will be solicited from employers or professional organizations.
- C. Members will serve for a term of three years and may be appointed for further terms. Committee memberships will be staggered to maintain continuity in functioning.

- D. State committee members must:
- (1) Represent organizations that are actively involved with training apprentices at the local level; or
 - (2) Be involved in the development of emerging occupations; or
 - (3) Have been involved in the training of apprentices in the last two years

Exceptions to these requirements can be made by the Bureau 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 Arborist Apprenticeship Advisory Committee generally meets at least twice each year and their membership includes employer and employee members who have been nominated by organizations involved at the local committee level. The Bureau may remove a person from membership on a committee for one or more 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 III D unless an exception is granted under III D as noted above.
- (3) Violation of any state apprenticeship statute, rule or standard.

- 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. Members must attend at least 75% of the meetings over the term of their appointment, unless excused by the Bureau for good cause.

- I. 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 III D unless an exception is granted as noted above.
- (3) Violation of any state apprenticeship statute, rule or standard.

- J. Vacancies may be filled, or representatives changed in term, at the request of the appropriate association.

IV. Duties of the State Arborist Apprenticeship Advisory Committee

- A. Provide recommend/advise on policy and/or program changes to BAS and WTCS on all aspects of the apprenticeship program and curriculum for the occupation.
- B. Assist in formulating and revising minimum state standards (and review them every five years) for the occupation and make recommendations on changes to the Bureau including:
- the period of training
 - minimum work process requirements
 - related instruction
 - probationary period
 - employer requirements to serve as a trainer
 - journey level worker/apprentice ratios
 - apprentice reviews
- C. Recommend curriculum, related instruction and delivery service requirements for the occupation to the Bureau and the Wisconsin Technical College System (WTCS).
- D. Prepare a policy for the occupation on proficiency assessment/testing (for work experience and course work) to be utilized by employers in determining apprenticeship credit for previous experience/education.
- E. Assume statewide leadership for the purpose of improving conditions and expanding the number of employers using apprentices in the occupation.
- F. Assist in the formation and promotion of local committees where they do not exist, if appropriate.
- G. Review and monitor local committee operations (including biennial reports) and activity levels and recommend changes in operations where appropriate, including AA/EEO.
- H. Assist local committees to work out their programmatic and administrative problems.
- I. The committee will follow these operational guidelines:
- (1) Meet at least a minimum of two times a year.
 - (2) Elect working officers of the Committee; two co-chairs; one employer representative and one employee representative.

- (3) Conduct meetings in conformity with the open meeting law of Wisconsin.
- (4) A meeting quorum exists when at least two employer and two employee representatives are present.
- (5) Official meeting minutes will be prepared by the Bureau of Apprenticeship Standards.

V. Personnel of Local (In-Plant) Committees

Purpose: To oversee the training of apprentices and ensure that the conditions of the Apprentice Contract are being satisfied by all parties. Every apprentice will have access to and be responsible to a local (in-plant) committee.

Each local (in-plant) committee will have a minimum of four voting members; two employer representatives and two from the skilled workforce. If members are added to a committee there must be equal employer and employee representation, unless otherwise specified by a collective bargaining agreement. It is recommended that the in-plant committee meet quarterly.

An exception may be made to this requirement for employers who have less than five apprentices.

Multi-trade local committees will be authorized provided that at least one member of the committee is a member of the apprentice's trade that is being reviewed. If a member of an apprentice's trade is not on the local committee, an advisor from that trade may be used on an ad hoc basis.

- A. The employer will nominate the employer members who have been involved in the training of apprentices or supervision of skilled workers in the past five years.
- B. Employee members will be nominated as specified in collective bargaining agreements or in their absence, local (in-plant) committees and/or employers will nominate employee members who are skilled workers in the trade or represent active journey level workers.
- C. All local (in-plant) committee rosters will be submitted to BAS.
- D. 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.
- E. Exceptions to these requirements can be made by the BAS in order to expand female and minority participation on the committees.
- F. The committee may be expected to advise the BAS and the WTCS on all apprenticeship matters in the trades covered by the committee.

- G. Members must attend at least 75% of the meetings over the term of their appointment, unless excused for good cause.
- 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 for good cause.
 - (2) Failure to meet the membership requirements unless an exception is granted under IV E as noted above.
 - (3) Violation of any state apprenticeship statute, rule or standard

VI. Duties of Local (In-Plant) Committees

- A. Ensure that apprentices get the required range of work process experience and safeguard the training of apprentices on the job.
- B. Review the status and progress of every apprentice prior to the end of the probationary period and recommend any appropriate action to the employer.
- C. Review and make sure that adequate classroom and on-the-job learning (OJL) records are kept for apprentices. All reviews must be in writing.
- D. Review and evaluate classroom and on-the-job performance on a regular basis, as recommended by the state committee, (at least annually in person) and before recommending completion to the Bureau.
- E. Recommend credit for previous experience/education in conformity with BAS policy and procedures.
- F. Advise the Bureau and local technical colleges on all matters pertaining to related instruction in the employer's area. Assist in securing related instruction with the state, local technical college or other provider of related instruction.
- G. Respond to surveys and questionnaires sent by the Bureau regarding information on participating employers, apprentices, meetings held and AA/EEO for the apprenticeship program.
- H. Conform to the state committee written meeting procedure requirements, if any.
- I. Encourage parties to an Apprentice Contract to bring issues before the local (in-plant) committee. If not resolved, provide recommendations to the Bureau on its resolution.

- J. Take part in statewide trade or industry marketing and apprenticeship promotion.
- K. Recommend modifications to ratios in state standards to help meet workforce needs in conformity with bargaining agreements, when applicable.
- L. Keep minutes and make available to the local Apprenticeship Training Representatives of the BAS, if necessary.
- M. Recommend completion of the apprentice to the Bureau.

VII. Minimum Qualifications of Apprentice Applicants

Applicants must:

- A. Be 18 years of age or older
- B. Have a high school diploma or equivalency
- C. Be physically able to perform the work of the occupation with reasonable accommodations and without hazard to themselves or others. Applicants may be required to furnish a statement of physical condition from a physician at the time of the job offer. Applicants may be required to undergo drug or alcohol testing at time of selection as an apprentice.
- D. Have a valid driver's license

Applicants may be required by the Employer to:

- E. Undergo drug or alcohol testing at the time of selection as an apprentice
- F. Obtain a Commercial Driver's License
- G. Meet the minimum scores on an academic assessment or equivalent

VIII. Minimum Qualifications of Employers

Employers must:

- A. Have been in business for at least one year.
- B. Ensure that apprentices are trained in the core work processes identified for this occupation.
- C. Employ at least one full-time journey worker, qualified supervisor or other individual to supervise and/or train the apprentice at all times.

- D. Employ at least one full-time journey worker with a valid ISA Certified Arborist credential.

IX. Ratio of Apprentices to Journeyworkers

- A. To ensure adequate supervision and instruction of all apprentices on-the-job, the ratio of apprentices to journey workers shall be one (1) apprentice for one (1) journey worker.

Apprentices	Journey workers
1	1
2	2
3	3
4	4
5	5

- B. For tasks and jobs on which the apprentice has not been trained and qualified, the apprentice shall be under the direct supervision (quick and easy access to communicate about a job) of an experienced Arborist or a qualified individual.
- C. For tasks and jobs on which the apprentice has been trained and qualified, the apprentice may work under indirect supervision (having phone access to a qualified individual).

X. Apprentice Contracts

- A. All apprentices shall have a contract in compliance with DWD 295.07, signed by the apprentice and the employer.
- B. 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.

XI. Apprenticeship Terms

The term of the Arborist apprenticeship program shall be hybrid and at least 7,000 hours. The apprentice must successfully obtain the competencies described in the program provisions.

Employers have the option of choosing a longer term of apprenticeship and/or pursue implementing competency and time-based apprentice programs in addition to time-based. Hybrid and competency based programs must be reviewed by the State Arborist Apprenticeship Advisory Committee and approved by the BAS.

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 8,000 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 shall not exceed twelve (12) calendar months. It cannot exceed 25 percent of the length of the program or one year whichever is shorter.

- A. During the probationary period, the apprentice or program sponsor may void the contract by written notice to the Bureau.
- B. After expiration of the probationary period there must be good cause provided the Bureau for the cancellation of the Apprentice Contract.

XIII. Related Instruction Attendance

- A. The apprentice shall attend school and satisfactorily complete the course of instruction recommended by the State Committee for no less than 440 hours unless otherwise approved by the Bureau and the State Committee.
- B. The apprentice shall be paid the same rate for regular school attendance as for work on the job. Apprentices are paid 'straight time' rate for paid school hours. An employer is not required to pay overtime (time and one-half) to apprentices while receiving paid related instruction, unless such requirements are contained in an applicable collective bargaining agreement.
- C. Apprentices shall attend unpaid related instruction on their own time and take such subjects as the employer requires as stated in the Exhibit A.

XIV. Schedule of Work Processes

See Trade Information (Exhibit A) attached or as approved by the State Committee.

XV. Conditions of Work

The apprentice shall be governed by the same working hours as the operator or the employer under whose supervision the apprentice is employed. Under no conditions shall the hours of work conflict with the required hours of school attendance or with State or Federal Regulations.

XVI. Continuity of Employment

When an apprentice is temporarily laid off in an occupation because of business conditions, the apprentice shall be offered reinstatement before any additional apprentices are employed in that occupation.

XVII. Evaluation and Completion of Apprentices

A. Record Keeping

Sponsors are required to keep adequate records in order to maintain their apprenticeship program; including selection records, records relative to the operation of the program; such as, job assignment, layoff or termination records, rates of pay, etc, and an apprentice evaluation system so that the employer can properly evaluate the apprentice's performance.

All records must be maintained for a period of five years from the date of last activity.

B. Certification Exams

In order to receive the Certificate of Completion of Apprenticeship, the apprentice must successfully complete the following:

1. Obtain a State of Wisconsin Pesticide Applicator Certification
2. Earn the International Society of Arboriculture Certified Tree Worker Climber Specialist

Upon successful completion of the apprenticeship under these Standards, the Employer shall request the Bureau of Apprenticeship Standards to issue the apprentice a Certificate of Completion of Apprenticeship. The Certificate shall be signed by the Employer and the Director of the Bureau of Apprenticeship Standards, State of Wisconsin.

XVIII. Credit for Previous Experience

Apprentices may be eligible for credit and care should be taken in evaluating credit requests to be sure that credit is properly applied.

- A. Credit for previous time under an Apprentice Contract: All credit for all time under an Apprentice Contract at the occupation (work and school) must be given to apprentices with such experience, unless extenuating circumstances are explained in writing and the credit is not approved by the Bureau.

This credit (unless not approved) must be applied at the beginning of the Apprentice Contract.

If application of the credit advances the apprentice to a higher wage, then that wage must apply.

- B. Credit for Previous Experience: Apprentices may be granted credit for previous work or school experience. Such credit should only reflect actual work time that relates directly to the occupation or school time relating

directly to the occupation or school time relating directly to the occupation related instruction. 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.

If application of the credit advances the apprentice to a higher wage, then that wage must apply.

C. All credit must be in writing and approved by the Bureau.

XIX. Appeal Procedures/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 BAS.

A. In cases of a problem or dispute involving a matter of policy, the matter shall be referred to the State Arborist Apprenticeship Advisory Committee for review. If the State committee cannot satisfactorily resolve the matter, it will provide the Bureau with its recommendations.

B. For apprentice applicants who are already employees of the firm, initial appeals should be made in accordance with grievance procedures to either the employer of the local union. If no satisfaction is received from this/these resources, the individual may appeal to BAS. For those applicants who are not an employee of the firm, the initial appeal should be made directly to the BAS. If the decision not to accept the applicant is made by the employer, not the in-plant committee, the appeal should also be made directly to the BAS.

C. All applicants, employers or apprentices have the right of appeal to the Bureau 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, P. O. Box 7972, Madison, Wisconsin 53707, 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 calendar 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 to 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. These Standards may be modified at any time by the State Arborist Apprenticeship Advisory Committee.
- B. The minimum requirements set forth in these Standards shall not be altered by virtue of any collective bargaining agreement.