

MINIMUM STANDARDS FOR APPRENTICESHIP

Registered with the Virginia Apprenticeship Council
According to Act of Virginia Legislature
Chapter 6, Title 40.1,
Code of Virginia

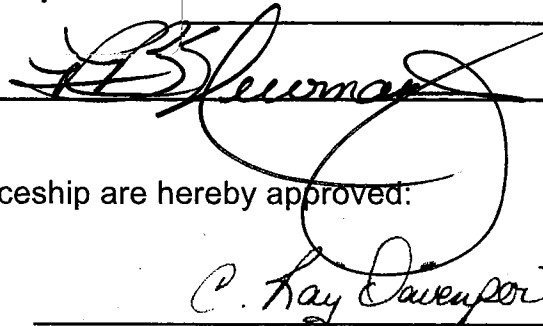
Effective July 1, 2000
and
Recognized by the U. S. Department of Labor
Bureau of Apprenticeship and Training

These Minimum Standards for Apprenticeship are hereby adopted for use by:

Sponsor: _____

Date: _____ Department of Military Affairs

Signature of Sponsor's Representative: _____



These Standards for Apprenticeship are hereby approved:

Secretary of the Virginia Apprenticeship Council: _____



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1. INTERPRETATIONS AND IMPLEMENTATION OF STANDARDS

- a. The Minimum Standards For Apprenticeship ("Standards") are based on, and conform to:
 - i. "Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia", Chapter 20 of the Virginia Administrative Code." (Regulation 16 VAC 20-20-10 et. seq.)
 - ii. "Voluntary Apprenticeship Act", §40.1-117 through 40.1-126 of the Code of Virginia
- b. Each registered apprenticeship program must comply, at a minimum, with all items in these Standards. (Regulation 16 VAC 20-20-40)
- c. Each apprenticeship agreement will be governed by the terms and conditions in these Standards. (Regulation 16 VAC 20-20-50, VA Code §40.1-211)
- d. If a sponsor and apprentice have a difference of opinion in the interpretation of the Standards which cannot be satisfactorily resolved, either of them may consult with the Virginia Apprenticeship Council through the Apprenticeship Director, for clarification of the matter in question. (Regulation 16 VAC 20-20-40 item B.19)

2. DEFINITIONS

- a. Apprentice - A person at least 16 years old, who is learning and working in an apprenticeable occupation and is covered by a written Apprenticeship Agreement with an employer, registered with the Virginia Apprenticeship Council (VAC). (Regulation 16 VAC 20-20-20, VA Code §40.1-120)
- b. Apprenticeable Occupation - A skilled trade which is customarily learned in a practical way through a structured systematic program of on-the-job supervised work experience; is clearly identifiable and recognized throughout an industry; involves manual, mechanical or technical skills which require a minimum of 2000 hours of on-the-job work experience; requires related instruction to supplement the on-the-job work experience. (Regulation 16 VAC 20-20-20, VA Code §40.1-120)
- c. Apprenticeship Agreement - (Agreement) An approved written agreement between a sponsor and apprentice (and guardian if apprentice is under 18), which meets the criteria outlined in Regulation 16 VAC 20-20-50. By signing the Agreement, all parties agree to accept all terms and requirements contained in the Standards, the sponsor's Program Registration, the Act and the Regulations. (Regulation 16 VAC 20-20-20, VA Code §40.1-120 & 122)
- d. Sponsor - An employer, association of employers, joint apprenticeship committee or organization of employees that has an approved apprenticeship program registered with the VAC. A program shall be operated by the sponsor and registered in the sponsor's name. (Regulation 16 VAC 20-20-20, VA Code §40.1-120)
- e. Supervisor of Apprenticeship - The person designated by the sponsor to perform the duties outlined in the Standards and will be designated on the Program Registration. (Regulation 16 VAC 20-20-20)
- f. Program Registration - An approved written description of the terms and conditions of apprentices' employment, training and supervision under a sponsor's apprenticeship program for a specific apprenticeable occupation, in accordance with the Act, Regulations, Standards, and any additional State Board Apprenticeship Standards which apply. The Program Registration shall incorporate a written

Schedule of Work Processes. (Regulation 16 VAC 20-20-40)

- g. Virginia Apprenticeship Council (VAC) - Organization which develops regulations and policies, and determines Standards for Apprenticeship in Virginia. Members are appointed by the Governor. The U.S. Department of Labor's Bureau of Apprenticeship and Training has granted VAC authority to approve, register, de-register and reinstate apprenticeship programs; approve and cancel apprentice agreements; keep a record of apprentice agreements and their dispositions, and issue certificates of journey person upon completion of apprenticeship. (Regulation 16 VAC 20-20-20, VA Code §40.1-117 & 40.1-118 items 1, 3, 4, 5, 6)
- h. Virginia Department of Labor and Industry (DOLI) The agency which administers the Voluntary Apprenticeship Act and its related regulations in Virginia. DOLI acts as the official agent of the VAC. (Regulation 16 VAC 20-20-20, VA Code §40.1-125)

3. APPRENTICESHIP PROGRAMS

- a. Program Approval - Sponsors must have written notice of registration before establishing any Apprenticeship Agreements to employ and train individual apprentices. (Regulation 16 VAC 20-20-30 items A, C, D)
- b. Program Termination - Programs may be canceled by sponsor request or de-registered by the VAC. Canceled programs may be reinstated upon sponsor request, if they meet registration requirements. De-registered programs may be reinstated if the VAC determines that there is adequate evidence that the program is being operated in accordance with the Act and Regulations. (Regulation 16 VAC 20-20-60 & 20-20-70)
- c. Program Evaluation - DOLI shall review and evaluate each sponsor's program every two years. (Regulation 16 VAC 20-20-10)

4. APPRENTICESHIP AGREEMENTS

- a. Each Apprenticeship Agreement is a contract between, and must be signed by, the apprentice (and guardian if apprentice is under 18) and the sponsor's authorized representative, and registered with the VAC. (Regulation 16 VAC 20-20-50 item 1, VA Code §40.1-122)
- b. A signed Apprenticeship Agreement indicates that both apprentice (and guardian) and sponsor understand and agree to all apprenticeship requirements.
- c. To be valid, each Apprenticeship Agreement must:
 - i. Comply with Regulation 16 VAC 20-20-50 and VA Code §40.1-121.
 - ii. Contain all required signatures. (Regulation 16 VAC 20-20-50 item 1, VA Code §40.1-122)
 - iii. Be approved by the VAC. (VA Code §40.1-122)
 - iv. Be registered and filed by the sponsor. (Regulation 16 VAC 20-20-30 item B)
- d. All required signers must receive a copy of the signed Apprenticeship Agreement and Standards.

5. EQUAL EMPLOYMENT OPPORTUNITY

- a. Sponsors and potential sponsors must not discriminate (based on race, color, religion, national origin, sex or physical handicap, which is unrelated to the person's qualifications and ability to perform the job) in recruiting, selecting, employing or training apprentices. (Regulation 16 VAC 20-20-40 item B & 20-20-50 item 10)

- b. Sponsors must take affirmative action to provide equal opportunity in operating apprenticeship programs. Programs must operate as required under the Virginia State Plan, and they must comply with Title 29 of the Code of Federal Regulations, part 30. (Regulation 16 VAC 20-20-40 item B)

6. TERM OF APPRENTICESHIP

- a. The minimum term for any apprenticeship program shall be 2000 hours of reasonably continuous employment. (Regulation 16 VAC 20-20-40 items A and B, 6, VA Code §40.1-120)
- b. Employment must be supplemented by the amount of related instruction required in the craft or trade. A minimum of 144 hours of related instruction is recommended for each year of apprenticeship. (Regulation 16 VAC 20-20-40 item B.10)
- c. When the apprentice is required to work overtime, these overtime hours WILL/WILL NOT be credited to the term of apprenticeship. (Regulation 16 VAC 20-20-40 item B.6)

7. CREDIT FOR PREVIOUS EXPERIENCE

- a. An applicant for apprenticeship may be allowed credit on the term of apprenticeship for prior experience whether with the sponsor or elsewhere.
- b. The sponsor's Supervisor of Apprenticeship must review and approve the applicant's record of previous experience before such experience will be credited. (Regulation 16 VAC 20-20-40 item B.4)

8. SUPERVISION OF APPRENTICES

- a. Each sponsor must designate a Supervisor of Apprenticeship. (Regulation 16 VAC 20-20-40 item B.)
- b. The Supervisor of Apprenticeship must assure that:
 - i. All programs are registered with the VAC.
 - ii. All apprentices receive a company orientation that includes: Standards of Apprenticeship, any additional industry standards, company policies, safety rules and regulations.
 - iii. All apprentices receive instruction in safe and healthful working methods in each operation as it is encountered throughout the term of apprenticeship. (Regulation 16 VAC 20-20-40 item B.8.d)
 - iv. All apprentices are adequately trained and supervised in all areas by qualified personnel. (Regulation 16 VAC 20-20-40 item B.8.b)
 - v. Each apprentice's progress is reviewed and documented prior to moving to a new wage level. (Regulation 16 VAC 20-20-40 item B.8.a)
 - vi. Credit for previous experience is granted when appropriate. (Regulation 16 VAC 20-20-40 item B.4)
 - vii. Each apprentice is notified of related instruction requirements and the name and location of each approved related instruction provider. (Regulation 16 VAC 20-20-40 items B.8.e & B.10)
 - viii. Related Instruction Provider(s) is contacted to review each apprentice's educational progress before the expiration of each wage period. (Regulation 16 VAC 20-20-40 item B.11)
 - ix. Records are prepared and filed at specified intervals of apprentice's aptitude, skill and progress. Submits prompt and complete written notification to DOLI of any change in apprentice status. (Regulation 16 VAC 20-20-40 items B.8.a.&c. item B.15)

- x. Any other duties needed to develop and maintain an effective apprenticeship program. (Regulation 16 VAC 20-20-40 item B.8.f)

9. RESPONSIBILITIES OF APPRENTICES

- a. Apprentices are employees and have basic employee responsibilities. Each apprentice must make every effort to become a well-qualified journeyman.
- b. Each apprentice must be on time for work, learn all work processes, complete all work assignments, and take initiative to ask appropriate questions.
- c. Each apprentice must be registered for related instruction courses, attend regularly and be on time.
- d. Each apprentice should review these Standards and the sponsor's Program Registration to ensure that he/she is trained and paid according to these documents.
- e. Each apprentice has the responsibility to consult with the Supervisor of Apprenticeship to assure that all accurate and appropriate records are updated and DOLI is notified promptly of any changes in status.
- f. Each apprentice must use appropriate conduct in the classroom and on the job site.
- g. Each apprentice must obtain licensing applications following completion of the apprenticeship program.

10. ON-THE-JOB TRAINING

- a. The apprentice shall be given instruction and work experience as established by industry practice and as listed in the work processes.
- b. The work experiences do not need to be in the precise order as listed in the work processes.
- c. The work processes must be recorded in the Program Registration.

11. RELATED INSTRUCTION

- a. Each apprentice shall receive related instruction and shall provide the Supervisor of Apprenticeship with evidence of satisfactory participation and progress upon request.
- b. A minimum of 144 hours of related instruction is recommended for each year of apprenticeship.
- c. The Apprenticeship Agreement can be suspended or canceled when an apprentice does not satisfactorily complete either the on-the-job training or related instruction. Exceptions may be allowed for sickness or injury.

12. INITIAL PROBATIONARY PERIOD

- a. Each apprentice must serve between 500 and 2000 hours of the apprenticeship term as an initial probationary period. The specific number of hours is stated in each Program Registration.
- b. During the probationary period cancellation of the Apprenticeship Agreement may be requested by the sponsor or the apprentice. Notice of such actions must be given to the VAC.
- c. Full credit will be given for the initial probationary period toward completion of the apprenticeship program. (Regulation 16 VAC 20-20-40 item B.7)
- d. All apprentices registered under these Standards shall be subject to an initial probationary period of _____ hours of employment.

13. PERIODIC EVALUATION

The progress of each apprentice's job performance and related instruction shall be subject to a periodic review prior to the expiration of each wage period. Should a review reveal a lack of interest or ability on the part of the apprentice, the apprentice will be informed of the deficiency and may be placed on probation for a sufficient period to determine improvement or failure. At the end of the probationary period, if the apprentice has not shown acceptable improvement, the apprenticeship agreement may be suspended or canceled. The sponsor must promptly notify the apprentice and the VAC in writing of any suspension or cancellation. (Regulation 16 VAC 20-20-40 item B.11)

14. HOURS OF WORK

- a. Hours of work for apprentices shall be the same as for all other employees in the same occupation. The VAC defines a full-time work week as 37-40 hours.
- b. Time spent at related instruction may or may not be considered as hours of work. The sponsor's decision must be documented in the Program Registration. (Regulation 16 VAC 20-20-40 item B.12)
- c. Sponsors shall not require apprentices to work hours that would interfere with attending related instruction except in emergencies.

15. APPRENTICE WAGES

- a. The term of each apprenticeship program shall be divided into periods, with wages that progressively increase as the apprentice progresses in skill and productivity. Wages will be established in accordance with federal and state wage laws. (Regulation 16 VAC 20-20-40 item B.13)
- b. Wages are based on the basic rate paid to journeypersons and must reflect any credit given for previous experience. Overtime shall be based on the same percentage as that paid all other hourly employees. (Regulation 16 VAC 20-20-40 item B.4)
- c. The minimum wages paid all apprentices employed under these Standards must be recorded in the Program Registration.
- d. Apprentices who are given credit for previous training or experience shall be paid the wage rate commensurate with the period to which such credit advances them.

16. TRANSFER, LAYOFF/REINSTATEMENT, SUSPENSION, OR CANCELLATION

- a. Transfer - If a sponsor is no longer able to fulfill his obligations for the training of an apprentice, the apprentice may be transferred or registered with credit for previous training to another sponsor. DOLI must be notified in writing and must approve all transfers. (Regulation 16 VAC 20-20-50 item B.13)
- b. Layoff/Reinstatement - Apprentices may be laid-off in the commensurate ratio of apprentices to journeypersons. Apprentices laid-off under these Standards shall be entitled to seniority privileges and shall be reinstated in the seniority standing before any new apprentices are registered. DOLI must be notified in writing of all apprentices laid-off and/or reinstated. (Regulation 16 VAC 20-20-40 item B.15)
- c. Suspension and Cancellation - Apprenticeship agreements may be suspended or canceled at any time for appropriate reason. The sponsor must notify DOLI in writing stating the

reason for the suspension or cancellation. (Regulation 16 VAC 20-20-40 item B.15)

17. CERTIFICATE OF COMPLETION

Upon the completion of the term of apprenticeship and having met the requirements of the program, the VAC shall be requested by the sponsor to prepare a Certificate of Completion, to be issued in the name of the apprentice who has successfully completed training and the term of apprenticeship. (Regulation 16 VAC 20-20-40 item 17)

18. STUDENT APPRENTICES

- a. Student apprenticeships are available to high school and community college students.
- b. All apprenticeship requirements and restrictions described in the Standards shall apply to student apprentices, except the following:
 - i. For high school students, a letter of permission from their principal is required;
 - ii. Student status must be maintained. If a student leaves school prior to graduation his/her student apprenticeship will be canceled;
 - iii. Wages, work hours and related instruction requirements may be different for student apprentices than non-student apprentices.

19. NUMBER OF APPRENTICES TO BE TRAINED IN THE PROGRAM

The number of apprentices shall be determined by the adequacy of facilities, the need of journeypersons in the community and reasonable assurance of employment in the trade establishment upon completion of training. To ensure adequate training the ratio of apprentices to journeypersons shall not exceed: one (1) apprentice to _____ journeyperson(s).

Where there is no bargaining agreement or existing area practice, the ratio shall not exceed one (1) apprentice to one (1) journeyperson.

20. ADDITIONAL SPONSOR APPRENTICE QUALIFICATIONS (optional)

- a. Age: Minimum * _____
- b. Education _____
- c. Physical capability _____
- d. Other _____

*minimum permitted by law is 16 years of age

21. MODIFICATIONS

The sponsor must notify the VAC promptly in writing of any proposed program modifications and request approval from the VAC. Any program modifications shall not alter or affect apprenticeship agreements in effect at the time of modification without the consent of all parties affected.

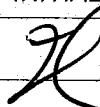
The apprenticeship program may be cancelled by the VAC for due cause. The sponsor may withdraw his program by submitting a written request to the VAC.

TRANSMITTAL, ACTION AND CONTROL

(For use of this form, see JFHQ-VA Memo 1-1: the proponent is SGS)

| | | |
|--|--|--|
| CONTROL NUMBER: 1002-87 | CLASS: Unclassified | SUSPENSE DATE: 24 February 2010 |
| SUBJECT: Apprentice Partnership Initiative (API) between DMA and VA Department of Labor and Industry (DOLI) | | |
| ACTION OFFICE SYMBOL: JFHQ-J1 | INFORMATION/ASSIST: 2LT RB Hicks | ACT OFF NAME/PHONE NUMBER: MAJ NR Williams/5343 |
| <input type="checkbox"/> SIGNATURE | <input checked="" type="checkbox"/> X APPROVAL | <input checked="" type="checkbox"/> X INFORMATION |
| RESOURCE IMPACT (Y) | | |
| <input type="checkbox"/> VAFA, | <input type="checkbox"/> SGS, | <input type="checkbox"/> CSM, |
| <input type="checkbox"/> CCWO, | <input checked="" type="checkbox"/> X DJS, | <input checked="" type="checkbox"/> X TAG |

1. Purpose: Obtain TAG approval to establish API within DMA IAW DOLI requirements. TAG previously approved this concept verbally.
 2. Recommendation: TAG approve and sign Memorandum for Record, Minimum Standards for Apprenticeship, and Signature Authority for J1.
 3. Summary: J-1 is coordinating with DOLI to finalize API. DMA will follow DOLI apprenticeship policy and procedure. DOLI will issue Certificates of Completion to qualified DMA personnel upon program completion. DOLI website provides links to active apprenticeable occupations:
 4. Resource Impact: Employing 2LT to coordinate between DMA and DOLI. Issuing PC and office supplies to 2LT. Utilizing office and filing space at JFHQ.
 5. See attached Information Paper for execution summary and documents for signature.
 6. Coordination:
Ms. Beverley Donati (DOLI)
Ms. Patricia Moore (DOLI)
- Verbal concurrence of Virginia ARNG Chief of Staff and ANG Director of the Air Staff

| APPROVAL/RELEASE | | | | | |
|------------------|---------|-----------|----------------|---|-----------|
| NAME | INITIAL | DATE | NAME | INITIAL | DATE |
| COL Morgan | TLM3 | 24FEB2010 | Maj Gen Newman |  | 26 FEB 10 |
| COL Francis | dwf | 24FEB10 | | | |
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DEPARTMENTS OF THE ARMY AND THE AIR FORCE
OFFICE OF THE ADJUTANT GENERAL OF VIRGINIA
JOINT FORCE HEADQUARTERS - VIRGINIA
1100 Bank Street, RICHMOND, VIRGINIA 23219-3425

REPLY TO
ATTENTION OF

JFHQ-VA-AG

1 March 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: DMA Apprentice Partnership Initiative (API) with Department of Labor and Industry (DOLI).

1. References.

a. Chapter 20, Code of Virginia, Regulation 16 VAC 20-20-10 et. seq., Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia, 1 July 2000.

b. Chapter 6, Title 40.1, Code of Virginia, Minimum Standards for Apprenticeship, 1 July 2000.

c. Code of Virginia §40.1-117 through 40.1-126, Voluntary Apprenticeship Act, 1 July 2000.

d. Code of Virginia §59.1-485, Legal Recognition of electronic records, electronic signatures, and electronic contracts 1 July 2000.

e. Code of Virginia §59.1-487, Attribution and effect of electronic record and electronic signature 1 July 2000.

2. Purpose. To clarify military skills for civilian employers and to enhance civilian employment potential of DMA personnel by qualifying program alumni as Certified Journeypersons through the Virginia Registered DOLI Apprenticeship Program.

3. Policy. API is established and DMA is registered as DOLI Sponsor by completing the following:

a. DMA agrees to Minimum Standards for Apprenticeship, Master Agreement, Training Program Outlines and Apprentice Action Forms IAW DOLI requirements. TAG approves signature authorization as listed.

(1) Minimum Standards for Apprenticeship. Filed at JFHQ-VA, and available on VA Guard intranet J1 link.

(2) Master Agreement. Filed at JFHQ-VA, and available on VA Guard intranet J1 link. J1 is authorized to sign.

(3) Training Program Outline (TPO), one TPO per Unit. Kept on file at JFHQ-VA, and available on VA Guard intranet J1 link. J1 is authorized to sign.

JFHQ-VA-AG

SUBJECT: DMA Apprentice Partnership Initiative (API) with Department of Labor and Industry (DOLI).

(4) Apprentice Action Form (AAF). There is one AAF per Soldier/Airman, which is emailed by administrative personnel to DOLI through J1 to register apprentice. Upon completion, AAF is signed by Commander and sent to DOLI through J1. Soldier/Airman's Commander is authorized to sign. Electronic signature is authorized per Codes of Virginia §59.1-485/§59.1-487.

b. Classifies Military Occupational Specialties (MOS's) as apprenticeable civilian occupations with work processes, and registers each with DOLI.

c. DOLI API biannual review.

4. Execution. API is the responsibility of J1, Commanders, and Soldiers/Airmen. DMA registers Soldiers/Airmen as apprentices at the unit level. Priority will initially be given to mobilized units. Apprenticeship duties can be accomplished while deployed, or during IDT and AT. Upon completion, DOLI issues Certificates of Completion to apprentice to certify them as a Journeyperson.

a. J1 responsibilities.

(1) Registers API with DOLI by: obtaining signatures on Minimum Standards for Apprenticeship, Master Agreement, TPO's, classifying MOS's as apprenticeable civilian occupations, and files as described in para 3a.

(2) Prepares SOP's for API presentations.

(3) Maintains documents on VA Guard intranet and post updates as necessary.

(4) Promotes API jointly with DOLI.

(5) Trains Commanders jointly with DOLI on API and apprentice registration IAW DOLI standards, and provides links to related materials described in para 3a/b.

(6) Coordinates DOLI distribution of Apprentice log books and related instruction guidance.

(7) Receives initial and completed AAF, related instruction and prior training documentation, reviews documentation to ensure correctness, and forwards to DOLI for apprentice certificate issuance.

(8) Periodically evaluates effectiveness of API jointly with DOLI.

b. Commander's responsibilities.

(1) Briefs API to Soldiers/Airmen.

(2) Registers Soldiers/Airmen as apprentices through unit personnel.

JFHQ-VA-AG

SUBJECT: DMA Apprentice Partnership Initiative (API) with Department of Labor and Industry (DOLI).

(3) Ensures training and safety is conducted IAW DOLI standards.

(4) Reviews and signs completed AAF.

c. Soldier/Airman responsibilities.

(1) Receives API brief.

(2) Completes initial AAF to register; ensures unit personnel email to J1. Maintains in their personal records.

(3) Provides initial AAF, related instruction and prior training/duty documentation, to J1 through Unit personnel.

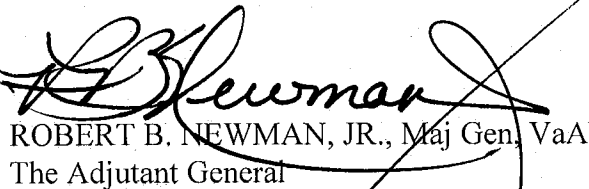
(4) Keeps a log book to record duty hours and progress, and has supervisor sign log book monthly to verify training is conducted IAW DOLI standards.

(5) Satisfactorily completes all tasks as listed in apprentice occupational work processes, and notifies Commander and JI of any change in status.

(6) Sends signed AAF to JI through unit personnel.

5. Effective date. Effective immediately.

6. Point of Contact. POC for this memorandum is MAJ Nathaniel R. Williams, AGR Services Support Branch Chief, at 434-298-5343 or nat.williams@us.army.mil.


ROBERT B. NEWMAN, JR., Maj Gen, VaANG
The Adjutant General

DISTRIBUTION:

A