

APPRENTICE SPECIAL RULES AND REGULATIONS

The following special rules and regulations have been adopted by the Boilermakers National Joint Apprenticeship Program Board in conformity with Article 10 of the National Apprenticeship Standards. These rules represent the minimum levels of performance, which are acceptable to the National and Area Joint Apprenticeship Committee. While it is expected that all apprentices will exceed these minimums, those who do not will be subject to the below listed penalties.

Equal Opportunity Pledge:

The Boilermakers National Apprenticeship Program and the Western States Joint Apprenticeship Program will not discriminate against apprenticeship applicants or apprentices based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, age, genetic information, or because they are an individual with a disability. The Boilermakers National Apprenticeship Program and the Western States Joint Apprenticeship Program 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.

Probationary Period:

Apprentices employed under the program shall be subject to a tryout or probationary period. The Western States Standards of Apprenticeship interpret the probationary period to mean “1500 hours of on-the-job learning (OJL) or one-year (1), whichever is shorter”. See Article IX PROBATIONARY PERIOD of the Western States Standards of Apprenticeship for additional information. Full credit for time spent in the probationary period will be granted toward completion of the apprenticeship.

During this probationary period, the termination or cancellation of the Apprenticeship Agreement shall be made by the Area Joint Apprenticeship Committee at the request of either party. Termination or cancellation of the Apprenticeship Agreement by the Area Joint Apprenticeship Committee during the probationary period shall not be based on an apprentice’s membership in any of the protected classes listed in the above Equal Opportunity Pledge. After the probationary period, the Area Joint Committee may cancel the agreement for due cause, such as lack of progress, lack of interest or failure to comply with the Area Special Rules.

Program Requirements:

1. Related Studies (Correspondence Course)

- 1.1 Forty-eight (48) lessons, each having a written examination, constitutes the compulsory studies program for the Boilermaker Apprentices.

Apprentices **are** required to submit tests and receive passing grades for all forty-eight (48) lessons. **To access and complete these lessons please log onto the Learning Management System at <http://bnaplms.com>.**

Classroom Requirements:

- 2.1 Apprentices are to receive a **minimum** of one hundred forty-four (144) hours of classroom training per year, for a total of 576 hours during the program. It is mandatory that all apprentices attend the required classes, which are conducted at the Regional Training Center (Local Lodge 627) or an approved Local Training Center before graduating and becoming a

Journeyman/Mechanic. Misconduct during classes or failure to attend scheduled classes without a legitimate reason (e.g. personal sickness or a death in your family) that is reasonable to the Program Coordinators shall result in disciplinary action (**Refer to DISCIPLINARY ACTION**). Rules of conduct shall be posted at the training centers.

BNAP Full Board (1/29/01) requires all absences (excused or unexcused) to be made up either at the Regional Training Center or at a recognized Local Training Center. You must check with your Area Coordinator to schedule make-ups for missed time.

- 2.2 Apprentices who have completed the probationary period shall receive classroom and hands-on training for welding. Classroom training for welding is required during the second (2nd) and third (3rd) years. Hands-on welding will be emphasized during the fourth (4th) year.
- 2.3 Apprentices who have not received a welding certification from an employer or from the Common Arc Program shall **not** be promoted to journeyman until one of the following has been determined by the Joint Committee.
 - 2.3.1 Receive additional training in welding sufficient to pass the required welding test to qualify for referral as a qualified welder. Hands-on training shall not exceed two hundred and seventy (270) hours.
 - 2.3.2 All additional training in welding must be conducted at the Regional Training Center, Local Training Center, Mobile Training Trailer or a Vo-Tec School. If it is more cost effective to send an apprentice to Vo-Tec for additional training, the cost shall be paid by the area funds.
 - 2.3.3 If it is determined at any time during the additional training that an apprentice is not capable of accomplishing the skills of a qualified welder, the apprentice may be promoted to journeyman status with the following qualifications for job referral General Boilermaker Mechanic and Rigger.

The Western States Full Board (7/14/95) approved that first year apprentices should be capable of passing a typical Boilermaker three position plate test soon after reaching 3000 on-the-job training hours. All second year apprentices determined capable of advancing to tube welding training will be given the same as soon as possible, whereas they may become certified welders.

- 2.3.4 The BNAP Full Board (Fall 2000) approved the requirement of all apprentices to receive the 10 hour OSHA/MOST Safety/Health Course within six (6) months after an apprentice has been indentured into the program.

3. Monthly Job Reports

- 3.1 Apprentices shall submit Monthly Job Reports covering each month, whether working or not. Such reports shall be submitted in a timely manner, but in no event more than thirty days following the last day of the month covered by the report. The information required in the report shall be filled in by the Apprentice including activities on the job and number of hours spent on each activity. Apprentices will then submit the completed report to the Job Supervisors (**foreman and steward**) at the end of the job or the end of the month, whichever first occurs. The job Supervisors will check the report as proof of accuracy and rating of performance.

- 3.2 Apprentices out of work during a calendar month shall submit a Report for the month stating they were out of work.

Western States Policy requires that zero hour job reports CANNOT be filed in advance. Apprentices that are reporting excessive zero hour Monthly Work Reports shall be subject to a Survey in which they will be required to explain their lack of on-the-job training hours. A copy of the Survey request will be sent to the Local Business Manager. The apprentice will be given 60 days to complete and return the Survey. If the Survey is not returned, the apprentice will be subject to disciplinary action.

- 3.3 Apprentices, not a supervisor or anyone else, are responsible for completion of the Reports.
- 3.4 Filing an incomplete Report, failure to file a Report within thirty (30) days of the end of the month, providing false information, forging or causing to be forged a signature or name on the Report shall result in disciplinary action (**Refer to DISCIPLINARY ACTION**).

Western States Policy allows for a Business Manager to sign an Apprentice Work Report if the contractor has left the area or is unavailable, but only if the apprentice supplies check stubs to verify hours and the apprentice will not receive a job performance rating.

The Western States Policy allows for the Western States Coordinator to perform hour audit reviews on apprentices to verify the accuracy of the hours reported by the apprentice to the Coordinator in keeping with 3.4 above.

4. On-The-Job Training Modules

- 4.1 Each apprentice is required to complete each of the OJT Modules, which relates to the work progress shown on the Monthly Job Reports that he/she has processed.
- 4.2 Failure to complete the required OJT Modules may delay promotion to journeyman until the required OJT's are completed.

Western States Policy (revised 7/23/07) requires apprentices to complete a minimum of 3 OJT Modules prior to receiving a Level Advancement or Pay Increase. After completing the 6th level the Apprentice will be required to submit the remaining OJT Modules (6) prior to graduating from the program. Apprentices who were previously an apprentice will be credited completed OJT's from prior apprenticeship.

5. Apprenticeship Fees

The BNAP Board (4/25/01) approved the Western States Area a variance allowing the fees for Related Studies to be lowered from \$450.00 to \$250.00.

- 5.1 Apprentices are required to pay the following fees for a total of \$250.00. The purpose of the payments is to offset the cost of the Related Studies Books.
- 5.1.1 A fee of \$50 is to be paid prior to an Apprentice reaching 1000 hours.
- 5.1.2 An additional fee of \$50 is to be paid prior to an Apprentice reaching 2000 hours.
- 5.1.3 An additional fee of \$50 is to be paid prior to an Apprentice reaching 3000 hours.

- 5.1.4 An additional fee of \$50 is to be paid prior to an Apprentice reaching 4000 hours.
- 5.1.5 An additional fee of \$50 is to be paid prior to an Apprentice reaching 5000 hours.
- 5.2 Failure to pay fees in a timely manner shall result in disciplinary action (**Refer to DISCIPLINARY ACTION**).

Western States Policy (revised 7/23/07) allows apprentices to make payments in advance (**in increments of \$50 only**). Payments will be accepted by **MONEY ORDER ONLY** (checks will not be accepted). Apprentices who were previously an apprentice and still have their textbooks may be re-credited with their apprenticeship fees upon verification that they still have their textbooks (**must be the latest version of textbooks**).

6. Local Joint Referral Rules

- 6.1 A copy of the Local Joint Referral Rules will be included in the apprentice indenturement package and presented at the time apprentices sign the Apprenticeship Agreement.
- 6.2 Apprentices shall comply with the Local Joint Referral Rules. Violations of the Referral Rules will result in disciplinary action under Articles 8 and 9 of the Rules.
- 6.3 Apprentices removed from the referral out of work list under Article 8.5 of the Rules (serious or chronic misconduct) shall be terminated from the Apprenticeship Program.

BNAP Policy (4/7/94) requires that each apprentice will be indentured in the geographical area of the Local Lodge in which he/she applied for admission to the program. The apprentice shall be eligible to sign the out-of-work list of that Local Lodge only. Referrals to job sites outside the geographical area of the Local Lodge must come through the Business Manager of the Local Lodge in which the apprentice is indentured. Any reasonable request made by an apprentice to work in another Local will not be withheld. All Business Managers are to notify MOST when apprentices are available to travel and MOST, by circular letter, will notify the locals of availability of apprentices. Apprentices are to be notified of this Policy and informed that failure to comply with this policy can result in discipline, and including, cancellation from the program.

BNAP Policy (10/29/98) requires all apprentices to comply with the applicable provisions of the Local Joint Referral Rules (copy must be given to each apprentice when indentured) and a copy of which must be on file at the area coordinator's office. Apprentices will be suspended or terminated from the program under the National Program for:

- A) When an apprentice is disciplined for violations of the Local Joint referral Rules, the Local Business Manager will immediately file a report with the Area Apprenticeship Office along with supporting documents advising of the reason(s) and what referral suspension was applied.
- B) Apprentices may not refuse a work referral except for compelling reasons. Each refusal shall be so noted and the Local Business Manager will immediately file a report with the Area Apprenticeship Office along with supporting documents advising of the reason(s) for refusal.
- C) An apprentice that is refused employment for just cause (subject to different employers within a one (1) year period) is cause for termination from the program.

It will be the responsibility of the Business Manager to immediately send a report to the Area Coordinator's Office along with supporting documents advising of the reason(s) for the refusal(s).

- D) Chronic violations of the Local Joint Referral Rules are cause for termination from the program. All reports will be filed immediately as the infractions occur. Apprentices have the right to submit a referral dispute to the Local Joint Referral Disputes Committee in keeping with the Rules. The Area Apprenticeship Committee should refer all apprentices referral dispute back to the Local Business Manager unless C) and/or D) of the above rules have occurred.

7. BNAP Drug Testing

- 7.1 Apprentice applicants selected for indenturement will be given a copy of the MOST Drug & Alcohol Policy & Procedures.
- 7.1.2 The Area/National Coordinator shall notify the MOST office by FAX or E-Mail the Name, Social Security Number, Address, Home Phone Number, Local Number, Date Indentured, Date Graduated and Date Terminated of all apprentices and mechanic trainees.
- 7.1.3 Apprentice applicants selected for indenturement, probationary apprentices and non-probationary apprentices will be required to comply with Article 5.1 and 7.8 of the Exclusive Referral Procedures.
- 7.1.4 The Local Business Manager is required to file a referral suspension with the Area Apprenticeship Office each time an apprentice fails to comply with Article 5.1 and 7.8 of the Exclusive Referral Procedures.
- 7.1.5 Apprentices may be drug/alcohol-tested while attending the Regional or Local Training Centers for Post-Accident, Incident, Reasonable Suspicion or Cause.
- 7.1.6 The drug/alcohol screening shall be conducted using procedures, venter, independent testing laboratory and/or the medical review officer of the MOST Drug Screening Program.

7.2 Post-Accident/Incident

- 7.2.1 When a drug/alcohol test is required due to a Post-Accident/Incident that occurs while attending the Regional or Local Training Center, the regional or local instructor will notify the Area Coordinator and the Area Coordinator will notify the MOST office with the required information, such as name, address, etc.

7.3 Cause

- 7.3.1 Any indentured apprentice shall be subject to drug or alcohol testing, for cause, for any of the following reasons.
- 7.3.2 Involvement in, or causing, an incident or accident while attending class at the Regional Training Center or local training center, while using Transportation Service to and from school, or while staying in a hotel during school attendance which causes or could have caused injury to employees, apprentices, or other individuals, or which causes or could have caused destruction or damage to property.

7.3.3 Observed behavior, which is unusual under circumstances, or different from the individual's normal behavior, which indicates or could indicate impairment or drug/alcohol abuse.

7.3.4 Observed behavior must be witnessed by at least (2) individuals.

7.4 Alcohol Testing

7.4.1 Alcohol testing shall be conducted in keeping with Health and Human Services Guide dated January 1, 1995.

7.5 Suspension/ Termination

7.5.1 Apprentices testing positive for post-Accident/Incident or Cause while attending the Regional or Local Training Center shall result in disciplinary action as determined by the Area Committee.

7.5.2 In the event an apprentice appeals a suspension/termination from the program due to a positive result, the MOST office shall release the apprentice(s) record(s) in question to the Area Committee and National Board. The Area Coordinator and/or the National Coordinator shall request the records in writing with a copy of the signed BNAP DRUG TEST CONSENT AND INFORMATION RELEASE FORM (see 7.5.6 below).

7.5.3 The information released from the MOST office shall be kept separately stamped confidential and protected from disclosure to the fullest extent allowed by law. It shall be filed as confidential medical records protected by law.

7.5.4 Policy Changes

7.5.5 All BNAP Policy changes that relate to drug/alcohol testing procedures must be reviewed and approved by the MOST Board of Trustees to insure there is no conflict in administering the program exists.

7.5.6 Consent and Information Release Form

7.5.7 All apprentices indentured into the program must sign the BNAP Consent and Release form at the time they sign the Apprenticeship Agreement.

7.5.8 Apprentices that refuse to sign the BNAP Consent Form at the time they sign the Apprenticeship Agreement Shall be terminated.

7.5.8.1 BNAP Drug Test Consent and Information Release Form

I understand that one of the requirements for remaining indentured in the Boilermakers National Apprenticeship Program by and through one of its Area National Apprenticeship Rules Committees is to submit to alcohol and drug testing under the Drug Testing Policy of the National Program.

I further understand that failure to consent to drug testing when requested to do so will result in cancellation of my apprenticeship Agreement with the National Program and any of its Area Committees.

I further understand that the drug testing will be conducted under the Boilermaker MOST Drug

and Alcohol Policy and Procedures through an independent testing laboratory selected by MOST. I acknowledge having received a copy of the Drug and Alcohol Policy and Procedures of the Boilermakers' MOST Programs.

I authorize the independent testing laboratory to release the test results to a contact person selected by the Administrator of the MOST Programs and/or the medical review officer to release the results to the National Area Coordinator. I understand that the National Area Coordinator will use the information in accordance with the drug testing policy of the National Program, including the release of test results to individuals who need to know in order to carry out the drug testing policy of the National Program, and I authorize him/her to do so.

7.6 Cost of Treatment

Cost of treatment and/or entry into a drug/alcohol rehabilitation program shall be the sole responsibility of the apprentice. The cost to the apprentice may be reduced to the extent the Boilermakers Health and Welfare Plan or the apprentice's own health plan provides coverage, assuming eligibility. Neither the Boilermakers National Joint Apprenticeship Program nor any of its Area Committees, officers, agents, employees or representatives will be responsible for any cost of treatment or rehabilitation.

7.7 Area Apprenticeship Rules

7.7.1 The BNAP Drug/Alcohol Policy, Procedures and any amendments or changes approved by the BNAP Board is recognized as a part of the Apprenticeship Rules

Newly indentured apprentices will not be referred for employment until results of drug test are received by Area Coordinator (BNAP Policy 8/7/97).

If a non-probationary apprentice is cleared for a re-test and the re-test is positive the apprentice is dropped from the program (BNAP Policy 12/1/97).

When an apprentice is rejected or terminated from a job for receiving a positive result on a contractor drug test (not MOST) the following is to take place immediately (BNAP Policy 10/17/98):

- 1) The Business Manager is to notify (in writing) the Area Coordinator.
- 2) The Area Coordinator is to advise the MOST office and request a new COC to be sent.
- 3) If the apprentice tests positive he/she is terminated from the program if in the probationary period.
- 4) If he/she is out of the probationary period then he/she must comply with the MRO requirements if it is their first positive. If it is the second positive they are terminated from the program.

BNAP POLICY 4/24/00: DRUG TESTING OF PROBATIONARY APPRENTICES:

(1) A probationary apprentice will be automatically terminated if he/she tests positive and (2) the probationary apprentice will not be eligible to reapply for admission to the program for a period of two years except the terminated probationary apprentice may reapply after a period of six months from the date of termination if he/she has completed a bona fide rehabilitation program and/or otherwise complied with the recommendation or instructions of the (MOST program MRO). The Area Coordinator will be responsible for advising the

apprentice of his/her termination and his/her positions with respect to reapplying.

Western States Policy (12/02) requires all apprentices to have a current MOST Drug Screen in order to attend Local or Regional Training classes. Apprentices will be required to be able to attend Local or Regional Training classes AT ALL TIMES. The Western States office will inform apprentices that are not current to become current. Disciplinary Action and/or Termination will be imposed on apprentices who fail to comply.

8. Credit Hours

Credit hours will be granted to all apprentices based on the following (WSJAC granted variance by BNAP on 9/07):

- 8.1 If the Area Joint Committee finds, upon examining the records of applicants, that they have had previous practical or theoretical experience in the trade, it shall grant them advanced standing on the term of apprenticeship, subject to review before the end of the probationary period. Apprentices who receive credit for previous experience shall be paid the wage rate for the period to which such credit advances them.

Upon being re-admitted to the Apprenticeship Program after cancellation, the re-admitted apprentice shall serve the first 30 (thirty) days of his/her one-year probation at period 1 for wage purposes. Thereafter, the apprentice shall be placed at the highest period for which he/she is otherwise eligible. The apprentice may establish his/her hours by supplying a detailed statement from the Boilermakers Blacksmith's National Pension Trust. Credit hours will be retroactively awarded to the date from which the applicant was originally discontinued (6-1-05).

The Western States policy requires that all requests for hours credit must be itemized as per the Suggested Work Process in the Western States Standard Schedule A. The credit granted must not exceed half of the hours listed for each of the Suggested Work Processes.

BNAP POLICY 4/12/00 6000 HOUR APPRENTICE APPLICANTS: Any applicant who had more than 6000 hours of experience given any combination of hours defined by Schedule A of the Boilermakers National Joint Apprenticeship Standards will be denied indenturement into the National and Area Program. WSJAC POLICY: Apprentices will be required at the time of indenturement to specify the number of hours of experience they will be claiming (with substantiation). If it is found that that an indentured apprentice under-reported prior experience hours apprentice will be given a modified number of prior experience hours as per their indenturement paperwork, if under 6000 hours.

8.2 Welding

- 8.2.1 In addition to the previous practical or theoretical experience in the trade, the Area Joint Committee will grant a **maximum** of one thousand five hundred (1,500) hours to an apprentice for any combination of the following welding certifications obtained through Common Arc or a Signatory Contractor:

- 8.2.2 Plate (SMAW): 250 Hours
- 8.2.3 Tube Backing (SMAW): 250 hours
- 8.2.4 Tube/ Pipe Open Butt (SMAW): 250 hours
- 8.2.5 GMAW: 250 hours

- 8.2.6 FCAW: 250 hours
- 8.2.7 Tube 6G Position (TIG/SMAW): 1000 Hours
- 8.2.8 In addition to passing the welding test he/she must have completed the OJT Tasks as it relates to the welding process and pass a written test on welding consisting of fifty (50) questions. Twenty of the questions must consist of safety as it relates to welding. A passing grade of seventy (70) or higher must be made on the test.
- 8.2.9 The OJT modules must be checked off on the job or in a simulated condition at an approved training center.

NOTE REGARDING RELATED MODULES: The SMAW Module must be completed to receive credit for 9.2.1.1, 9.2.1.2, and/or 9.2.1.3 above. The GMAW Module must be completed to receive credit for 9.2.1.4 above. The FCAW module must be completed to receive credit for 9.2.1.5 above. The GTAW and SMAW Module must be completed to receive credit for 9.2.1.6 above.

8.3 **Rigging**

- 8.3.1 In addition to previous practical or theoretical experience in the trade, the Area Joint Committee will grant a maximum of seven hundred and fifty (750) hours to an apprentice based on the following.
- 8.3.2 In order for an apprentice to receive the rigging credit he/she must have the following OJT Modules/ Task sheets checked off.
 - 1) Set Up and Operate Air Tugger
 - 2) Utilize Come-A-Longs And Chain Hoist
 - 3) Utilize Pneumatic And Electric Hoists
 - 4) Set Up And Operate Cable Climbers
 - 5) Set Up Scaffolds.
 - 6) Inspect And Care For Rigging Accessories
 - 7) Tie Knots
 - 8) Reeve Blocks
 - 9) Change Crane Booms
 - 10) Use Hand Signals To Control Crane And Hoist
- 8.3.3 The modules must be checked off on the job or in a simulated condition at a BNAP approved training center.
- 8.3.4 In addition to the OJT modules being completed a written test must be passed consisting of fifty (50) questions concerning rigging. Twenty (20) questions must consist of safety as it relates to rigging. A passing grade of seventy (70) or higher must be made on the test.
- 8.3.5 In addition to the OJT modules and written test apprentices must also complete all Rigging Curriculum Training.

8.4 **College Degree(s)**

- 8.4.1 In addition to previous practical or theoretical experience in the trade, the Area Joint Committee will grant a maximum of two thousand (2,000) hours (these hours are not cumulative) to an apprentice based on the following (an **Official Transcript** with the degree awarded is required):

- 8.4.2 An apprentice may receive a total of one thousand (1,000) hours for a two (2) year college degree.
- 8.4.3 An apprentice may receive a total of two thousand (2,000) hours for a four (4) year college degree.
- 8.5 **Credit hours awarded from any of the sources in which credit hours are granted shall not exceed 3000 hours.**

9 Disciplinary Action

- 9.1 When violations occur regarding Classroom Requirements, Monthly Job Reports, Apprenticeship Fees, the Area Coordinator shall mail Apprentices a semi-annual progress report stating each violation or suspension.

The following are the Western States procedures in compliance with 9.1 above: OJT MODULES, FEES, TRAINING: Apprentices are sent: #1) a pre-level advancement notification (progress report) with each level advancement notification when they have met the on-the-job training hour requirement; #3) a pending suspension notification is sent sixty (60) days after the level advancement notification; and #4) a certified suspension/ termination notification is sent thirty (30) days after the pending suspension notification. TRAINING: Apprentices who do not complete or are removed from or do not show up for mandatory curriculum training are sent a certified suspension/ termination notice. MONTHLY JOB REPORTS (Sixty days delinquent), DRUG TESTING (not current): Apprentices are sent #1) a pending suspension notification; and #2) a certified suspension/termination notification thirty (30) days after the pending suspension notification. AUDITS, SURVEYS: Apprentices are sent #1) notification of information requested; #2) a pending suspension notification is sent sixty (60) days after the information requested notice; and #3) a certified suspension/ termination notice notification is sent thirty (30) days after the pending suspension notification.

MANDATORY MEETINGS: Apprentices that are required to attend mandatory meetings will be notified of such meeting by certified mail, with a copy sent to the area coordinator, by party requiring the meeting. If the apprentice does not show up for the mandatory meeting the party requiring the meeting can request a thirty (30) day suspension by the area coordinator. The area coordinator will send a suspension/ termination notification by certified mail.

- 9.1.1 Each offense shall result in a 30-day suspension from work.
- 9.2 The progress report will advise that the apprentice has thirty (30) days from receipt or the report to comply with the requirements. Failure to comply within the thirty (30) days will result in termination from the program.
- 9.3 If the requirements are met before the end of suspension, the suspension shall be lifted and the apprentice shall be allowed to return to work.
- 9.4 A copy of the notice and/or the suspension notice shall be sent to the local Business Manager advising suspension.
 - 9.4.1 The Business Manager shall have the apprentice removed from the job if employed.
 - 9.4.2 The apprentice shall not be allowed to register on the out-of-work list until the Business Manager has been notified by the Area Coordinator that the suspension has been lifted.

- 9.5 Apprentices that receive four (4) suspensions for violations of the Apprenticeship Program within a two (2) year period will be terminated from the program.
- 9.6 **READMITTED APPRENTICES:** If an apprentice is cancelled, the cancelled apprentice may reapply using the regular application process a maximum of one time only. If an apprentice is cancelled after their probationary period and uses the one time readmitted application process they must include a letter of recommendation from a Union Representative **or** Contractor Representative.

10 Notification of Terminations

- 10.1 All letters of terminations shall be issued by the Area Coordinator at the request of the Area Joint Committee after the review and approval of the Area Joint Committee. The Termination notice to the apprentice will contain the reason(s) for the termination and the appeal procedures in case the apprentice should desire to appeal to the Area Joint Committees action. (Letter is to be sent by certified mail)
- 10.2 A copy of all terminations will be sent to the current Local Business Manager.

11 Appeal Procedures

- 11.1 **Except for referral Rules related discipline,** an apprentice may appeal any imposed suspension or termination only in the following manner:

NOTE: Except for instances in which the suspected basis for termination of a Probationary Period Apprentice is the apprentice's membership in any of the protected classes listed in the above Equal Opportunity Pledge, Probationary Period Apprentices do not have appeal rights in regards to termination (See Area Standards, Article VIII, Probationary Period).

- 11.1.1 By written appeal to the Area Apprenticeship Committee mailed by registered or certified mail to the Area Coordinator within thirty (30) days of the date of mailing notice of the, to the discipline of the apprentice. Failure to appeal in this manner shall be a waiver of any rights to appeal the discipline imposed.
- 11.1.2 Within fifteen (15) days of receipt of the apprentice's written mailed appeal, the Area Coordinator shall mail to the apprentice's last known address, notice of the date, time, and place of a hearing before the Area Apprenticeship Committee. The hearing shall be scheduled no sooner than fifteen (15) days from the notice of the hearing.
- 11.1.3 At the hearing, the apprentice will be afforded the opportunity to refute the allegations, which form the basis of the discipline appealed. The apprentice shall represent him/herself and is responsible for bringing any evidence or witnesses that the apprentice deems necessary to dispute the discipline.
- 11.1.4 The Area Apprenticeship Committee shall mail a written decision of the Area Apprenticeship Committee, the last known address within fifteen (15) days of the adjournment of the hearing

12 Acknowledgment of Receipt

- 12.1 I have received a copy of the Boilermakers Area Apprentice Committee Regulations and Disciplinary Action booklet on this date. I understand it is important that I read and understand the contents of this booklet because violation of the Regulations set forth in this booklet can result in my suspension and termination from the Apprentice Program. Upon the

receipt of an appeal from an apprentice the BNAP will advise the apprentice of the procedures

12.1.1 Signed By: _____

12.1.2 Print Name: _____

12.1.3 Date: _____

ADDITIONAL POLICIES:

BNAP POLICY: Apprentices who have exceeded the 6000-hour requirement to graduate from the Program will be afforded 6 months to complete the remaining requirements. Failure to complete the remaining requirements within the 6 months will result in the termination from the program.

WSJAC POLICY: Apprentices will have 60 days to meet the graduation requirements. If they do not comply a suspension pending notice will then be sent informing them that they have 30 days to comply. A certified Suspension/Termination notice will be sent informing them that they are suspended for 60 days or until they are in compliance (whichever comes first). However if the

suspension is the 4th suspension in a two (2) year period they will be terminated from the program.

BNAP POLICY 9/16/99: AGENDA ITEM #18: LEAVE OF ABSENCE FOR INDENTURED APPRENTICES: If requested, and one or more legitimate reasons exist, the Area Committee may grant to the requesting apprentice a leave of absence for a maximum of two years; provided that the apprentice who is granted leave of absence contacts the Area Coordinator at the end of every six month interval and reaffirms a continuing need for the leave of absence; and provided further, that if a need for leave of absence extends beyond two years, the leave of absence may be extended at the discretion of the Area Committee.

WS POLICY: LEAVE OF ABSENCE FOR INDENTURED APPRENTICES: Apprentices will be granted a leave of absence for medical reasons or military service only. Apprentices will request a Leave of Absence Form, which will be required every six (6) months if Leave is approved. The Area Coordinator will approve or deny the request in writing to the apprentice with instructions. No Leaves will be granted beyond a 24-month period.

US DEPARTMENT OF LABOR POLICY: No apprentice will be allowed to be signed to 2 Apprenticeship Programs Simultaneously. **WSJAC POLICY:** #1) At the time of the indenturement, an apprentice will be asked if they are currently signed to another program. If the answer is yes they will be required to submit a letter of resignation from the other program prior to finishing their Boilermaker Apprenticeship paperwork. If they refuse to write a resignation they will be excused from the indenturement and their name will be removed from the eligibility roster #2) If a current apprentice joins another program they will be sent a certified letter informing them that they are terminated from the Boilermakers Apprenticeship Program.

Ed McWhorter
Chairman Western
States Apprenticeship Trustees

Tom Baca
Secretary Western
States Apprenticeship Trustees