

Local Apprenticeship and Training Standards With Selection Procedures And EEO/AA Plan

For the

New Mexico Joint Apprenticeship and Training
Committee for the Electrical Industry

4501 Montbel Place, NE
Albuquerque, NM 87107

Representing the

New Mexico Chapter
National Electrical Contractors Association, Inc.

And

Local Union No. 611
International Brotherhood of Electrical Workers

INSIDE QUALIFIED ELECTRICAL WORKER
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Contents

Foreword	4
Definitions	5
1. General	9
2. Composition of Joint Committee; Meetings	10
3. Equal Employment Opportunity	11
4. General Duties of the JATC	11
5. Qualifications & Duties of Participating Employers	13
6. Term of Apprenticeship	14
7. Wages and Fringe Benefits	15
8. Qualification for Apprenticeship	15
8.1 Methods of Entry	15
8.2 Application	15
8.3 Written Examination	16
8.4 Direct Interview Qualification	16
8.5 Direct Entry	18
8.6 Post-Selection Requirement	20
9. Selection and Placement	20
10. Credit for On-The-Job Skill Acquisition and Previous Related Training	20
11. The Apprenticeship Agreement	21
12. Probationary Period	21
13. Related Instruction	22
14. Safety and Health Training	24
15. Hours of Work; Assignments	24
16. Work Experience	25
17. Number of Apprentices: The Ratio	28
18. Temporary Training Opportunities	29
19. Advancement of Apprentices	29
20. Cancellation or Resignation of Apprenticeship Agreement	29
21. Complaint Procedures	30
22. Certification of Completion	30
23. Program Deregistration	31
24. Maintenance of Records	31

25.	Collective Bargaining Agreement	31
26.	Conformance with Federal Law and Regulations	31
	APPENDIX A	32
	Apprenticeship Selection Procedures	32
27.	Procedures for Processing Applications and Selecting Apprentices	33
27.1	Application Availability	33
27.2	General Rules Concerning Applications and Record Keeping	33
27.3	Qualifications for Applicants	34
27.4	Application Process	34
27.5	Testing and Interview Process	35
27.6	Disqualification	36
27.7	Re-Interview Process	36
27.8	Ranking and Selection	37
27.9	Applicant Appeals Procedure	37
	APPENDIX B	38
	Equal Employment Opportunity Policy and Affirmative Action Plan	38
	Preface	39
28	Part I – General Provisions	39
28.1	Affirmative Action and Equal Opportunity	39
28.2	Responsibility for Implementation	39
28.3	Dissemination of EEO/AA Plan	40
28.4	Anti-Harassment Training	40
28.5	Universal Outreach and Recruitment	41
28.6	Complaint Procedure	41
28.6.1	Internal Complaints	41
28.6.2	External Complaints	42
28.7	Invitation to Self-Identify	42
28.8	Recordkeeping	43
29.	Part II – EEO Policies and Procedures	44
29.1	Non-Discrimination and Equal Employment Opportunity	44
29.2	Selection of Apprentices	44
29.3	Prohibition of Harassment	44
29.4	Reasonable Accommodation Because of Religion	45

29.5	Retaliation Prohibited	46
29.6	Employer Responsibilities	46
29.7	Americans with Disabilities Act Compliance	46
29.8	Mentoring and Other Support for Apprentices	47
29.9	Other Participants in JATC Programs	47
30.	Part III – Affirmative Action Plan	48
30.1	Definitions and Terminology	48
30.2	Internal Review of Program Processes and Effectiveness	48
30.3	Targeted Outreach, Recruitment and Retention	49
30.3.1	Specific Activities for Affirmative Action	49
30.4	Utilization Analysis for Race, Sex and Ethnicity	52
30.4.1	Apprenticeship Program Workforce Analysis	52
30.4.2	Apprentice Availability Analysis	52
30.4.3	Utilization Rate	53
30.4.4	Establishing Utilization Goals for Race, Sex and Ethnicity	53
30.4.5	Current Utilization Goal	54
30.5	Utilization Analysis for Individuals with Disabilities	54
	APPROVAL OF STANDARDS	55

Foreword

The science of electricity is constantly changing and expanding at an ever-increasing rate. From its inception, the electrical industry has kept pace with new technologies and is now one of the largest industries in the United States. This rapid expansion means that the electrical apprentice must be given sound basic training in the knowledge of the occupation, supplemented by sufficient instruction in the theories of electrical science.

The electrical occupational is unique in that it is mechanical, technical, and professional. In order to meet industry demands in an ever-evolving technological environment, the electrical industry must select individuals who have the aptitude to learn and develop the knowledge, skills, and ability necessary to proficiently perform the individual job tasks associated with the work processes of the occupation. The industry must select and train individuals who will diligently work and study to stay abreast of current and future emerging technologies.

The electrical industry, by its very nature, places a high degree of personal responsibility on each individual. While supervision is most often provided on the job, the electrical worker is constantly called upon to make decisions concerning proper performance methodology.

Today's electrical installations are very complex and highly sophisticated. Faulty installations often prove to be extremely expensive and hazardous. Much of the complex wiring involved in the work is hidden from view when the job is completed; any defect in this hidden work can cause serious damage and provide to be extremely costly. The well-trained electrical worker takes pride in the appearance of their work, and in its technical correctness and structural soundness.

This Joint Apprenticeship and Training Committee ("JATC") was formed under the local Collective Bargaining Agreement ("CBA") by the local union of the International Brotherhood of Electrical Workers ("IBEW") and the local chapter of the National Electrical Contractors Association ("NECA"). The local union, the local chapter, and the JATC have dedicated their time to develop an efficient training program so the apprentice can, through a systematic program of schooling and on-the-job training, become a well-qualified electrical worker. The degree of success the JATC has in its operation will depend entirely upon the willingness of all local parties of the electrical industry to cooperate in this joint activity. Quality training remains a high priority with the IBEW and NECA.

The JATC will adopt and promote nationally developed Apprenticeship Standards and curricula to ensure quality apprenticeship and training for the industry in the best interest of the apprentice, management, labor, the customer, and the public.

Definitions

The following definitions apply to terms and acronyms commonly used throughout this document. They are intended to be consistent with the definitions in 29 CFR Parts 29 and 30.

ACE. American Council on Education.

APPRENTICE. Any individual meeting the qualifications described in the Standards of Apprenticeship who has signed an Apprenticeship Agreement with the JATC providing training and related instruction under these Standards, and who is registered with the Registration Agency.

APPRENTICESHIP AGREEMENT. The written agreement between the apprentice and the JATC setting forth the responsibilities and obligations regarding the Apprentice's employment and training under these Standards. Each Apprenticeship Agreement must be registered with the Registration Agency.

APPRENTICESHIP COMMITTEE (or COMMITTEE). Those persons appointed by the IBEW Local Union and the NECA Chapter to administer the apprenticeship program. The joint committee is composed of an equal number of representatives of the IBEW Local Union and NECA Chapter. Committee Members are also Trustees.

APPRENTICESHIP PROGRAM. The program administered under these Standards of Apprenticeship.

BOOT CAMP. An optional post-selection, pre-registration program used by some JATCs to determine if applicants possess the ability to learn and to perform the essential requirements of an electrical worker.

CANCELLATION. The termination of an apprenticeship agreement.

CERTIFICATE OF COMPLETION OF APPRENTICESHIP. The Certificate of Completion of Apprenticeship issued by the *electrical training ALLIANCE* for the JATC to provide to those registered apprentices certified and documented as successfully completing the apprentice training requirements outlined in these Standards of Apprenticeship.

CEU. Continuing Education Units.

COLLECTIVE BARGAINING AGREEMENT (or CBA). The negotiated agreement between the Local Union and the Local Chapter, or with signatory employers, that sets forth the terms and conditions of employment for apprentices during on-the-job training.

CPR. Cardiopulmonary Resuscitation.

DIRECT ENTRY. A method of entry into the Apprenticeship Program permitted under these Standards under which qualifying applicants are directly admitted into the apprenticeship program. Each direct method of entry will have certain minimum requirements, and post-offer, pre-registration selection requirements.

DIRECT INTERVIEW. A method of entry into the Apprenticeship Program permitted under these Standards under which qualifying applicants may be allowed to bypass certain minimum requirements and go directly to the interview. Each direct interview method of entry will have certain minimum requirements and post-offer, pre-registration selection requirements.

DOL. U.S. Department of Labor. Most references are to the Employment & Training Administration, Office of Apprenticeship, but the term may be used to refer to other offices of the U.S. DOL.

EEO/AA PLAN. The Equal Employment Opportunity Policies and Affirmative Action Plan established by the JATC that is part of these Standards. Formerly known as the Affirmative Action Plan or AAP.

electrical training ALLIANCE. The national organization created by the IBEW and NECA, formerly known as the National Joint Apprenticeship and Training Committee or the NJATC.

ELECTRONIC MEDIA. Media that utilizes 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, the extranet, lease lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic media and/or interactive distance learning.

EMPLOYEE RETIREMENT INCOME SECURITY ACT or ERISA. A federal law, the Employee Retirement Income Security Act of 1974, as amended, that imposes requirements on various types of employee welfare and pension plans, including apprenticeship plans, and enforced by the DOL.

EMPLOYER. Any person or organization employing an apprentice for on-the-job training as part of the Apprenticeship Program. Also sometimes referred to as a “Participating Employer” with the JATC, or as a “Contractor”.

GED. General Educational Development Certificate.

IBEW. International Brotherhood of Electrical Workers.

INDUSTRY. The electrical construction industry in general, and in particular the IBEW-NECA segment of the industry.

INSTRUCTOR. An individual employed or used by a JATC to provide related instruction to apprentices.

JATC. Joint Apprenticeship and Training Committee or “Committee”. References to the “JATC” are to the local JATC created by the Local Union and the Local Chapter pursuant to a CBA that includes the Category One, Standards Inside Apprenticeship Language from Article V of the IBEW-NECA pattern Inside Agreement.

JATT. Joint Apprenticeship Training Trust. The legal entity through which the local apprenticeship training fund exists, which was created by a Trust Agreement. Under ERISA, the Board of Trustees of the JATT is the “plan sponsor” that is generally responsible, as set forth in the Trust Agreement, for the administration of the plan.

JOURNEY-LEVEL WORKER. 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. (Use of the term may also refer to a mentor, technician, specialist, or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship, or through practical on-the-job experience and formal training). Formerly sometimes referred to as a “Journeyman”.

LOCAL CHAPTER (or NECA CHAPTER). The NECA Chapter(s) involved in the creation of the JATC and JATT, and is one of the settlors of the Trust.

LOCAL UNION (or IBEW LOCAL). The IBEW Local(s) involved in the creation of the JATC and JATT, and is one of the settlors of the Trust.

NECA. National Electrical Contractors Association.

OA. U.S. Department of Labor, Office of Apprenticeship.

OJT. On-the-Job Training.

O*NET-SOC CODE. The Occupational Information Network (O*NET) codes and titles are based on the new Standard Occupational Classification (SOC) system mandated by the federal Office of Management and Budget for use in collecting statistical information on occupations. The O*NET classification uses an 8-digit O*NET-SOC code. Use of the SOC classification as a basis for the O*NET codes ensures that O*NET information can be readily linked to labor market information such as occupational employment and wage data at the national, state and local levels.

OSHA. Occupational Safety and Health Administration.

PARTY or PARTIES. Refers to the parties to the CBA, i.e. the Local Union and Local Chapter. Used in some provisions derived directly from the Standard Inside Apprenticeship Article V language.

PROBATION PERIOD. A defined period of time during which the apprenticeship agreement may be terminated by either party to the agreement upon written notice to the Registration Agency. In no case shall the probationary period exceed 25% of the program length or one (1) year; whichever is shorter.

PUBLIC WORKS AND APPRENTICESHIP APPLICATION (PWAA). The New Mexico Department of Workforce Solutions electronic system that provides for the automated collection, retention, updating, retrieval, and summarization of information related to apprentices and apprenticeship programs.

QUALIFIED ELECTRICAL WORKER (“QEW”). A Journey-level worker in the electrical industry, who has graduated from a registered apprenticeship program or obtained equivalent skills and experience. Equivalent to the former terms Lineman or Wireman.

REGISTERED APPRENTICESHIP PARTNERS INFORMATION DATA SYSTEM (“RAPIDS”). The Federal system which provides for the automated collection, retention, updating, retrieval, and summarization of information related to apprentices and apprenticeship programs.

REGISTRATION AGENCY. Means, The New Mexico Department of Workforce Solutions, State Apprenticeship Office that has responsibility for registering apprenticeship programs and apprentices, providing technical assistance, conducting reviews for compliance with 11.2.3 NMAC and 11.2.2 NMAC, and conducting quality assurance assessments.

RELATED INSTRUCTION. An organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to apprentice’s occupation. Such instruction may be given in a classroom, through occupational or industrial courses, correspondence courses of equivalent value, on-line courses or other digital media or formats, or other forms of self-study approved by the Registration Agency.

RULES and POLICIES. The rules, policies and procedures established by the JATC for day to day administration of the Apprenticeship Program, that address rights and responsibilities of apprentices and contractors and the operation of Related Instruction, but does not include any other policies and procedures that the JATC or JATT may establish for their internal operations.

SELECTION PROCEDURES. The Apprentice Selection Procedures that are part of these Standards.

SHOP. Designates the complement of workers who report daily to an Employer’s designated place of business, e.g. the “service-truck” crew.

STANDARDS OF APPRENTICESHIP (or STANDARDS). This entire document, including the Selection Procedures and EEO/AA Plan.

SUPERVISOR. An individual designed by an Employer to supervise or have charge and direction of an apprentice during on-the-job training.

TIME-BASED OCCUPATION. The time-based approach measures skill acquisition through the individual apprentice's completion of at least 8,000 hours of on-the-job learning as described in a work process schedule as well as required minimum number of hours of related instruction.

TRAINING DIRECTOR. The JATC may employ a Training Director or other staff to assist in the day-to-day operation of the apprenticeship and training programs.

TRANSFER. A shift of an apprentice's apprenticeship agreement from one JATC to another JATC.

TRUST AGREEMENT. The multi-employer plan trust agreement that created the JATT.

TRUSTEES or BOARD OF TRUSTEES. Those persons appointed by the IBEW Local Union and the NECA Chapter to administer the Joint Apprenticeship Training Trust. The JATT joint committee is composed of an equal number of representatives of the IBEW Local Union and NECA Chapter. The applicable Trust Agreement will typically say that Trustees are solely responsible for the administration of the trust. Trustees are also Committee members.

TRUST FUND. A term sometimes referred to the JATT, where the funds are held.

1. General

- 1.1 This apprenticeship and training program shall be administered by the Trustees and the Committee. The Trustees shall administer the JATT under the terms of the Trust Agreement and applicable law. The Trustees and the Committee may, if they are named fiduciaries under ERISA, allocate responsibility between them for operation of the apprenticeship program, except for non-allocable Trustee responsibilities. Absent some other agreement, the duties of the Trustees shall be limited to those set for in the Trust Agreement or law.
- 1.2 The JATC shall establish and adopt Standards governing the qualifications, selection, employment, education, and training of all apprentices that conform with the *electrical training ALLIANCE* National Requirements for Local Apprenticeship Standards, the CBA and the requirements of the Registration Agency. These Standards (including the Selection Procedures and EEO/AA Plan), and any subsequent amendments, must be approved in advance by the *electrical training ALLIANCE* prior to being submitted to the Registration Agency for approval and registration.
- 1.3 These Standards, after approval by the *electrical training ALLIANCE* and the Registration Agency, shall supersede all previous JATC Standards. Apprenticeship Agreements in force under preceding Standards shall remain in force unless changed by written consent of the apprentice, the JATC, and the Registration Agency.
- 1.4 Pursuant to the apprenticeship language in the applicable CBA, the IBEW-NECA pattern Inside Agreement Article V, IBEW Basic Laws and Policies, and industry practices, these Standards shall apply to the IBEW Local Union and NECA Local Chapter and; the members; to employers who are party to the CBA or are otherwise signatory or participating employers; to all applicants and apprentices in this Apprenticeship Program; and, to all others receiving training from this Apprenticeship Program.
- 1.5 The provisions of these Standards shall not be construed as permitting violation of any applicable local, state, or Federal law.
- 1.6 These Standards shall not be interpreted as being inconsistent with existing or subsequent local CBA language establishing more demanding standards; the more demanding standard shall always prevail.
- 1.7 The jurisdictional area which these Standards cover shall be the wage area as set forth in the local CBA. The jurisdictional area is described in the Rules and Policies.
- 1.8 All funds for the operation of the apprenticeship and training program shall be held in a Trust Fund established by the IBEW Local and the NECA Chapter. The Trustees shall administer the Trust Fund in accordance with the Trust Agreement and applicable law.
- 1.9 Whenever these Standards refer to providing any type of document, information, notice or other communication, unless otherwise specified or required by the Registration Agency, or applicable law, such communication and transmittals may be made by any effective means, including electronic or digital transmission.

2. Composition of Joint Committee; Meetings

- 2.1 The JATC and JATT shall be composed of eight (8) members; the IBEW Local Union and NECA Chapter shall each appoint an equal number four (4) of individuals who shall serve as both Committee members and Trustees. These dual appointments as Committee members and Trustees must be in writing. Individuals appointed by the NECA Chapter must be members or employees of NECA and active in the Industry. Individuals appointed by the IBEW Local must be members or staff of the IBEW and active in the Industry. Current Committee members/Trustees shall be identified in the Rules and Policies and/or on the JATC's website.
- 2.2 The term of office shall be for four (4) years. The term of one (1) NECA appointee and one (1) IBEW appointee shall expire each year on December 31. A Committee member/Trustee may be reappointed. Any reappointment shall also be in writing for the same specified term.
- 2.3 The Committee shall select from its membership, but not both from the same party, a Chairman and a Secretary, who shall retain voting privileges as members. The Committee may establish term limits for officers if not otherwise established by its governing documents.
- 2.4 JATC members shall complete their appointed term unless removed for cause by the party to the CBA that appointed them, they voluntarily resign or die. All vacancies shall be filled immediately by the party who appointed that individual to complete the unexpired term. The IBEW Local and NECA Chapter retain the discretion to determine what is "cause" subject to any applicable local or national IBEW or NECA rules. JATC/JATT minutes shall reflect all appointments, reappointments, resignations, and terminations of Committee members/Trustees.
- 2.5 The Committee and Trustees shall adopt appropriate internal policies and procedures for their respective areas of responsibility and the conduct of Committee members/Trustees, including confidentiality. The JATC shall also ensure that Committee members/Trustees have access to appropriate education regarding their obligations and duties, as an expense of the Trust.
- 2.6 The Committee may establish or authorize one or more joint subcommittees to be similarly constituted and appointed for training purposes to meet a specific need, such as a Residential or Telecommunication subcommittee. Such subcommittees may be established at the discretion of the Committee and shall remain in place until terminated by a majority vote of the Committee. Subcommittee members shall be appointed by the sponsoring parties in the same manner that the JATC members are appointed. Members of a subcommittee may or may not be JATC members. Subcommittees shall operate under the same rules as the Committee. There shall be no subcommittee of the JATT unless permitted by the terms of the Trust Agreement.
- 2.7 The JATC shall meet at least once a month, and on call of the Chairman when a specific need arises. The JATC may agree to cancel a regularly scheduled monthly meeting due to specific or unusual circumstances. Upon notice by the Chairman and Secretary, a JATC meeting may be held via audio, video, or other electronic conference. JATC members in attendance, through any authorized means, may vote. There must be at least one (1) JATC member present who was appointed by each party to establish a quorum at JATC meetings. Each party shall have a total number of votes at JATC meetings equal to its allowable number of JATC members, regardless of the number of members present. In the event the parties are divided on an issue, each party may cast one full vote as if all were present. A vote to abstain is an official vote, it represents one of the votes the sponsoring party is entitled to and is not counted as either a yea

or a nay. An individual member must be present (in-person or electronically) to personally vote on JATC matters. No absentee votes or proxy votes will be valid.

- 2.8 Due to the confidential nature of Apprenticeship Agreements and apprentice records and issues, all JATC meetings are to be considered as “closed” meetings, except where applicable law provides otherwise.
- 2.9 There are to be no alternate or ex-officio members of the JATC except the Director of the Registration Agency or his or her designee selected from the OA or Registration Agency staff shall be an Ex-officio member, without vote of any Committee which functions to administer the apprenticeship program. Consultants and guests may be invited to or permitted to attend meetings of the JATC but shall have no official voice and no vote. A designated representative of the IBEW Local or the NECA Chapter, such as the local union Business Manager or NECA Chapter Manager, shall have the right to attend a JATC meeting with due notice given the JATC.
- 2.10 Meetings of the JATT should be scheduled in the same manner, following the meeting of the JATC, and follow similar procedures as those for JATC meetings, unless the Trust Agreement provides otherwise.

3. Equal Employment Opportunity

- 3.1 This Apprenticeship Program shall be operated in a manner that does not discriminate on the basis of any protected characteristics or conduct under federal, state, and local law. These policies are set and detailed in the EEO/AA Plan (Appendix B).
- 3.2 The JATC will not discriminate against an apprentice or applicant on the basis of race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, age (40 or older), genetic information, or disability with regard to its apprenticeship and other programs, including its recruitment, outreach, and selection procedures; grading, assessment, and advancement; on-the-job opportunities and assignments; rates of pay; imposition of penalties or other disciplinary action and termination; or, any other benefit, term, condition, or privilege associated with apprenticeship.
- 3.3 The JATC will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under 11.2.2 NMAC and Title 29, Code of Federal Regulations, part 30, as amended, and other applicable laws.

4. General Duties of the JATC

- 4.1 The JATC may develop training for Qualified Electrical Workers (QEW), pre-apprenticeship programs, and other related training, so long as such programs do not violate applicable law.
- 4.2 The JATC may employ a Training Director or other staff to assist in the day-to-day operation of the apprenticeship and training programs. All governing responsibility for the apprenticeship program and for compliance with applicable laws rests with the JATC and/or the Trustees of the JATT, and cannot be delegated, including assuring full compliance with these Standards, the EEO/AA Plan, and the Selection Procedures.

- 4.3 The JATC shall determine the number of apprentices needed to keep the jurisdictional area supplied with an adequate number of Journey-level workers in the areas covered by these Standards. The JATC shall consider all factors (e.g., employment opportunities, attrition) having a bearing on the number of apprentices needed when determining the number to register. The JATC shall also consider its capability to provide on-the-job training and related instructional training.
- 4.4 The JATC shall see that each apprentice satisfactorily completes the minimum course materials and curriculum produced by the *electrical training ALLIANCE*.
- 4.5 The JATC shall periodically review the progress of each apprentice to ensure they receive supervised on-the-job experience in the work processes and job tasks as outlined in these Standards (See Section 16).
- 4.6 In order to provide diversity of training and/or employment opportunities, the JATC shall have full power and authority, as per the CBA, to assign, transfer, or reassign apprentices from one job or shop to another, or from one participating employer to another. All OJT transfers and assignments shall be issued by the JATC as set forth in the CBA.
- 4.7 The JATC is not an employer of apprentices, nothing in these Standards regarding the JATC's duties regarding OJT shall be interpreted to change or relieve any rights or duties of Employers. Except where required by applicable federal or state laws, nothing in these Standards is intended to create any right or obligation enforceable by apprentices against the JATT, the Trustees, the JATC, the IBEW Local, or the NECA Chapter.
- 4.8 The JATC shall follow any procedures provided by the Registration Agency, for registration of new apprentices and for providing or updating information about registered apprentices. The Registration Agency must be notified within 45 days of any apprentice action - e.g., registered, reinstated, advanced, extended, modified, granted credit, completed, transferred, suspended, canceled - and a statement of the reasons thereafter.
- 4.9 The JATC shall adopt written Rules and Policies and applicable procedures that set out the rights and responsibilities of applicants, apprentices or other participants, and applicable procedures. The Rules and Policies shall not be inconsistent with the Standards or other requirements adopted by the *electrical training ALLIANCE* to implement the Standards. The Rules and Policies shall be consistently applied in a non-discriminatory manner. Every registered apprentice shall be provided a copy of the Rules and Policies at the time of registration and a copy of all subsequent modifications and must sign an acknowledgement. Rules and Policies may be provided through and receipt acknowledge by electronic means. A copy of the JATC's Rules and Policies (and subsequent changes) shall be submitted to the Registration Agency if so required by the Registration Agency.
- 4.10 The JATC and/or JATT may establish such other rules, policies, and procedures as they deem appropriate for their internal operations (e.g., finance and administration, confidentiality, operation of OJT) or as may be required by law or to implement the Standards.
- 4.11 In the first quarter of each year, the JATC shall provide the IBEW Local and the NECA Chapter a summary of the JATC's activities for the preceding year. The summary shall include a review of the prior year's EEO/AA Plan, its overall effectiveness, and changes made to the EEO/AA Plan as a result of the review. Such report shall not include any information identifying individual apprentices in any manner. The JATC shall work cooperatively with the *electrical*

training ALLIANCE in timely completing any Industry surveys and reports requested by the *electrical training ALLIANCE* and in maintaining the National Requirements.

- 4.12 If an unsafe worksite condition is brought to the JATC's attention, it shall be investigated immediately by the JATC and brought to the attention of the employer and the Local Union. Failure to respond to any recommendations made by the JATC shall be just cause for removing any remaining apprentices from a specific jobsite or from the employer.
- 4.13 Pursuant to section 2(b)(1) of the Support for Veterans in Effective Apprenticeships Act of 2019 (Pub. L. 116-134, 134 Stat. 276), by signing the program standards the program sponsor official whose name is subscribed to these standards assures and acknowledges to the U.S. Department of Labor's Office of Apprenticeship the following regarding certain G.I. Bill and other VA-administered educational assistance referenced below (and described in greater detail at the VA's website at: [https:// www.va.gov/education/eligibility](https://www.va.gov/education/eligibility)) for which current apprentices and/or apprenticeship program candidates may be eligible:
 - 4.13.1 The program sponsor is aware of the availability of educational assistance for a veteran or other eligible individual under chapters 30 through 36 of title 38, United States Code, for use in connection with a registered apprenticeship program;
 - 4.13.2 The program sponsor will make a good faith effort to obtain approval for educational assistance described in paragraph (1) above for, at a minimum, each program location that employs or recruits a veteran or other eligible individual for educational assistance under chapters 30 through 36 of title 38, United States Code; and
 - 4.13.3 The program sponsor will not deny the application of a qualified candidate who is a veteran or other individual eligible for educational assistance described in paragraph (1) above for the purpose of avoiding making a good faith effort to obtain approval as described in paragraph (2) above.

5. Qualifications & Duties of Participating Employers

- 5.1 The JATC shall determine the adequacy of each participating Employer to provide apprentices the necessary training needed to gain experience in the various job tasks and work processes of the occupation. The JATC shall have the authority to suspend or withdraw the approval of an Employer to train apprentices when appropriate. The JATC shall establish minimum expectations for all Employers consistent with these Standards. The JATC may also conduct orientations, workshops, or other educational sessions for Employers to explain the Apprenticeship Program's Standards and the operation of the Apprenticeship Program.
- 5.2 An Employer who is eligible to train apprentices shall be signatory to a local CBA, comply with the qualifying requirements as set for in the CBA, and be able to provide the necessary work experience for training as determined by the JATC. Participating Employers must comply with all provisions of the Apprenticeship Program, including the Standards, Selection Procedures, and the EEO/AA Plan, the JATC's Rules and Policies and any other rules or agreements required by the JATC. An Employer shall only secure apprentices through the JATC Participating Employers shall contribute to the JATC Trust Fund at the rate established in the CBA. Failure to contribute to the Trust Fund may be just cause for removing any apprentices from an Employer.
- 5.3 While an apprentice is on the job site, it shall be the responsibility of that Employer to provide the apprentice a non-discriminatory and safe workplace and conditions of employment and work assignments that the apprentice can safely perform.
- 5.4 The Employer will assign apprentices to those QEWs who have the ability to adequately train

and supervise the on-the-job training of the apprentice based upon the work processes being learned. Should an employer have difficulty with an apprentice, he/she should notify the Training Director immediately. The Training Director and employer shall endeavor to resolve the difficulty prior to the discharge of the apprentice. If the Training Director and employer do not resolve the problem after all efforts are made, the employer, before discharging the apprentice for cause, should notify the Training Director immediately, and provide the applicable records involving the discharge, including but not limited to, the progression of discipline and attendance records.

- 5.5 Employers must cooperate with the JATC by ensuring the timely and accurate completion of work reports and such other evaluations as the JATC requests of apprentices. Employers must promptly inform the JATC of any serious complaints or grievances by or against apprentices, including but not limited to complaints of discrimination or harassment, and permit the JATC on request to monitor any investigation involving apprentices. Employers will also participate in appropriate training provided by the JATC, such as that required by 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan.
- 5.6 The Director of the Registration Agency or his/her designee selected from OA or RA shall have the right to visit all job sites where apprentices may be employed, and apprentice related instruction classes, in order to determine compliance with apprenticeship standards.

6. Term of Apprenticeship

- 6.1 The JATC shall see that each apprentice completes the minimum of 8,000 hours of reasonably continuous supervised employment on-the-job training prior to the change in classification. The JATC shall attempt to provide for participation in all of the work processes as outlined in Section 16 of these Standards.

Apprentices shall participate in a minimum of 220 hours of related classroom training per year, outside the normal work hours. The JATC shall require each apprentice to satisfactorily complete the *electrical training ALLIANCE's* Five-Year Inside Wireman Apprenticeship Course material. The JATC may choose in their discretion to schedule related instruction to allow apprentices to complete the material in less than five years.

- 6.2 The following table identifies minimum requirements to enter each Period of Apprenticeship. This JATC has established six periods of apprenticeship as stipulated below.

Period	Percent of QEW Rate	Minimum Accumulative OJT Hours	+ Related Training
1	<u>45</u>	0	+ N/A
2	<u>50</u>	1000	+ Satisfactory Progress
3	<u>55</u>	2000	+ 1 st Year School Completed
4	<u>60</u>	3500	+ 2 nd Year School Completed
5	<u>70</u>	5000	+ 3 rd Year School Completed
6	<u>80</u>	6500	+ 4 th Year School Completed
Completion	100	8000	+ 5 th Year School Completed

The current QEW rate is \$33.65. The Registration Agency will be notified of any changes to the QEW rate in a timely manner.

To be advanced, the apprentice must have satisfactorily completed both requirements: OJT hours and Related Training as indicated above.

[Example: To advance to third period, one must have satisfactorily completed the first year of related training and must also have accumulated 2,000 hours of OJT with satisfactory performance.]

7. Wages and Fringe Benefits

Apprentices shall be employed on a stipulated hourly wage and benefits basis, as provided in the local CBA. Increases shall be subject to satisfactory progress on the job and satisfactory progress or completion of related instruction. Section 6 for the periods of advancement and rates of pay.

8. Qualification for Apprenticeship

- 8.1 *Methods of Entry.* Every individual selected for apprenticeship shall come from the pool of qualified applicants on the ranked list, unless otherwise qualifying for Direct Interview or Direct Entry. No applicant shall be excluded from consideration because they fail to meet qualifications for Direct Interview or Direct Entry; they must be considered under the standard method of entry.
- 8.2 *Application.* Every applicant must fill out an application form, either in paper format or electronically; accurate; and, completely responding to all questions and items listed in the application. *Minimum Qualifications.* Except as provided in paragraphs 8.5 and 8.6 for those eligible for Direct Interview or Direct Entry, each applicant must meet the following minimum qualifications and will be required to provide evidence satisfactory to the JATC at the time indicated in the Selection Procedures.
 - 8.2.1 Each applicant must be: (i) a high school graduate, or (ii) have a Certificate of High School Equivalency or GED, or (iii) have a two-year Associate Degree (or its equivalent) or higher. (If equivalent education was obtained outside of the United States, the applicant will be required to provide appropriate documentation.)
 - 8.2.2 Each applicant must have successfully completed: (i) one full year of high school algebra (or its equivalent) with a passing grade, or (ii) one semester of post-high school algebra (e.g., Adult Education, Continuing Education, Community College, etc.) with a passing grade, or (iii) the *electrical training ALLIANCE's* online Tech Math course.
 - 8.2.3 Each applicant must be able to work legally in the United States and provide a valid social security number. The JATC will not seek to verify authorization to work in the U.S. since that is the responsibility of the Employers during on-the-job training, but if the JATC learns that an applicant is not eligible to work and will not be eligible at the time of registration, the JATC may terminate the application.
 - 8.2.4 Each applicant must be capable of completing all requirements of the apprenticeship program and performing the work required of an electrical worker, with or without reasonable accommodations, including being able and willing to:
 - 8.2.4.1 Safely perform or learn to safely perform the essential functions of the job;
 - 8.2.4.2 Get to and from work at job sites anywhere within the geographical jurisdiction of this Apprenticeship Program.
 - 8.2.4.3 Attend and successfully pass all related instruction;
 - 8.2.4.4 Understand and follow all JATC Rules and Policies;
 - 8.2.4.5 Push, pull, crawl, crouch, and work in confined spaces such as attics, manholes, and crawlspaces, lift 25-50 pound objects on a fairly consistent schedule, and use various hand and power-assisted tools to install conduit, wiring, fixtures, devices, and electrical apparatus within commercial, industrial, and residential buildings.

8.2.4.6 Read, hear, speak, and understand instructions and warnings in English.

8.2.5 Each applicant must be a minimum of eighteen (18) years old at the time of registration, except that otherwise qualified applicants may be registered by the JATC prior to turning age 18 if permitted by state law.

8.2.6 Possess a valid Driver's License.

8.3 *Written Examination.*

8.3.1 Each applicant will be required to take the Aptitude Test prepared by the *electrical training ALLIANCE*. Applicants who do not qualify for Direct Interview or Direct Entry must receive a minimum passing score of "4".

8.3.2 Applicants who qualify for Direct Interview or Direct Entry, and who are subsequently registered in the program, will be required to take the Aptitude Test, either before or after registration, to assist in placement and identify areas where they may require additional support.

8.4 *Direct Interview Qualification.* The applicants described below will not be required to obtain a qualifying score on the Aptitude Test or meet the requirements of 8.2.1 High School diploma or GED, or 8.2.2 math. If they meet all other minimum qualifications above, and the requirements below, they will be invited to an interview. These individuals must still meet all post-selection requirements in paragraph 8.6. Applicants are not required to apply through these methods and may choose to apply through the standard method of entry.

8.4.1 Military Experience.

8.4.1.1 Applicants who have completed at least three years of active duty military service with the U.S. Armed Forces, with a discharge under honorable conditions within five years of the application date.

8.4.1.2 Applicants who have completed at least six years of U.S. military reserve service, who are still serving as a military reservist or have an honorable discharge within two years of the application date.

8.4.1.3 Applicants who have been honorably discharged from the military and have completed military technical training school in a Military Occupational Specialty ("MOS") applicable to the commercial and/or industrial electrical construction industry and can document a minimum of two years of military experience in that MOS within five years of the date of application. These individuals may also qualify for direct entry.

8.4.1.4 To qualify under 8.4.1.1, 8.4.1.2 and 8.4.1.3, applicants must provide a DD Form 214 or equivalent documentation acceptable to the JATC to establish their experience.

8.4.1.5 Applicants who have served overseas and/or lived on a military installation for a minimum of two (2) years prior to application will have any existing residency restriction waived.

8.4.2 Industry Experience.

8.4.2.1 2,000 Hours. Applicants who can verify that they have worked a minimum of two-thousand (2,000) hours specifically in the electrical construction industry.

8.4.2.2 4,000 Hours. Applicants who can verify that they have worked a minimum of 4,000 hours specifically in the commercial and/or industrial electrical construction trade. These individuals may also qualify for direct entry. An absolute minimum of four-thousand hours of electrical construction work experience must be proven to meet this qualification. No other form of electronic or electrical experience/training or construction experience

will be given credit under this provision.

8.4.2.3 Individuals applying under these two methods must provide to the JATC sufficient documentation, satisfactory to the JATC, to demonstrate their experience in the electrical construction industry. This documentation may be comprised of official documents such as tax/payroll records, or notarized letters of experience from prior employers.

8.4.3 *electrical training ALLIANCE* Interim Credential.

Individuals who have received an Interim Credential through the program developed by the *electrical training ALLIANCE*, which represents that they have successfully completed the First-Year curriculum. These individuals may also be eligible for direct entry.

8.4.4 School to Apprenticeship

8.4.4.1 Individuals who have completed a School to Registered Apprenticeship (STA) Program in the electrical industry, including School to Registered Apprenticeship (STRA) program involving the JATC. To be eligible, the STA or STRA program must meet the following requirements:

8.4.4.1.1. Shall be available to all schools within the jurisdiction of the CBA who agree to participate in the STRA program.

8.4.4.1.2 Shall require participants to be at least 16 years of age.

8.4.4.1.3 Shall require participants to complete their Junior Year (11th Grade) of High School prior to being employed as an apprentice in this program.

8.4.4.1.4 Shall allow the JATC to work with the school to encourage participating school systems to include in their academic curriculum: A basic Computer Course and Mechanical Drawing, or Computer Aided Design. The JATC may determine that participants must complete the First-Year of industry related classroom training (*electrical training ALLIANCE* Curriculum), specific *electrical training ALLIANCE* courses or industry orientation related seminars, or classes. These classes and seminars shall be taught by the JATC. The *electrical training ALLIANCE* course materials may be presented during the evening hours.

8.4.4.1.5 May permit the scheduling of alternating weeks of academic study and OJT experience, as determined by the JATC and agreed to by the participating school(s).

8.4.4.1.6 Shall mandate that failure to successfully complete academic studies (high school and JATC) shall be just cause for termination from the program.

8.4.4.1.7 Shall mandate that failure to demonstrate progress in safely and proficiently accomplishing work practices shall be just cause for termination.

8.4.5 Job Corps.

Applicants who completed a Job Corps training program in electrical construction within two (2) years prior to application, and who obtain a qualifying score on the Aptitude Test.

8.4.6 Pre-Apprenticeship Programs.

8.4.6.1 Individuals who can verify that they have completed a structured pre-apprenticeship training program meeting minimum requirements recognized by the JATC, and sponsored by community outreach groups, the IBEW or NECA, the Local, State, Regional or National Building Trades programs, or by the JATC. These individuals may also qualify for direct entry.

- 8.4.6.2 Applicants under this method must provide the JATC with appropriate documentation, satisfactory to the JATC, confirming that they meet the specific requirements of the pre-apprenticeship program. This documentation must be comprised of official documents such as: completion/graduation certificates, transcripts, notarized letters of confirmation and sworn statements.
- 8.4.7 Industry Needs. Applicants who meet unique industry needs or requirements, and who obtain a qualifying score on the Aptitude Test, will qualify for direct interview by the JATC as soon as possible after application submission, and may qualify for direct entry. To qualify under this method, applicants must either:
 - 8.4.7.1 Be in categories for which signatory contractors are required to recruit and hire under project labor agreements (“PLAs”), project stabilization agreements (“PSAs”), and/or other federal, state, or local governmental contracts or agreements, provided that those categories are not defined by Protected Characteristics as defined in the JATC’s EEO/AA Plan (e.g., requirements for veterans, local residents, or disadvantaged workers as defined by income or other factors the Protected Characteristics); or
 - 8.4.7.2 Be located in a geographic area for which there is a high demand that cannot be reasonably served with a sufficient number of apprentices because of the excessive travel distances.
- 8.5 *Direct Entry.* Applicants who meet the following qualifications will be offered direct entry into the Apprenticeship Program, with certain requirements waived and without being placed on or selected from the ranked list of qualified applicants. These individuals must still meet all post-selection requirements in paragraph 8.6, unless expressly exempted.
 - 8.5.1 New Signatory Employer. An electrical construction employee of a non-signatory employer not qualifying as a Qualified Electrical Worker when the employer becomes a signatory shall be evaluated by the JATC, using consistent, standard, non-discriminatory means and registered at the appropriate period of apprenticeship based on previous work experience and related training.
 - 8.5.1.1 Such applicants must meet the minimum requirements of 8.2.4. Such applicants must also:
 - 8.5.1.1.1 Provide official, undisputable documentation to show that they were an employee performing electrical construction work prior to and at the time the employer becomes signatory.
 - 8.5.1.1.2 Supply the JATC with required reliable documentation and adequate verification to substantiate previous employment and experience to warrant their registration.
 - 8.5.2 30% Cards. An individual who signs an authorization card during an organizing effort, where 30% or more of the employees have signed authorization cards, whether or not the employer becomes signatory, and is an employee of the non-signatory electrical contractors and does not qualify as a Qualified Electrical Worker, shall be evaluated by the JATC, using consistent, standard, non-discriminatory means and registered at the appropriate period of apprenticeship based on previous work experience and related training.
 - 8.5.2.1 All employees of the non-signatory electrical contractor must have been offered the opportunity to sign authorization cards.
 - 8.5.2.2 For such applicants to be considered, they must meet the minimum requirements of 8.2.4. Such applicants must also:
 - 8.5.2.2.1 Have previous work experience (with non-participation employer(s) that

warrants some OJT credit, based on the provisions of these Standards, provide reliable documentation and adequate verification (which shall be recorded and securely filed in the applicant's file) to substantiate previous employment and experience, in order to qualify for direct entry under this provision.

- 8.5.2.2.2 Provide official documentation to show length of employment with present electrical employer and all other previous electrical employers.

8.5.3 Transfer of Apprenticeship.

8.5.3.1 A registered apprentice who wishes to transfer an Apprenticeship Agreement between two local IBEW/NECA JATCs having registered inside apprenticeship programs. This is a method of direct entry.

8.5.3.2 In order to transfer an apprenticeship agreement between two local IBEW/NECA JATCs having a registered inside apprenticeship program, the following requirements must be met. The apprentice must submit a written request for transfer, describing in detail the needs and reasons upon which the request is based.

8.5.3.3 The apprentice's sponsoring JATC must agree to the transfer, acting on behalf of the official program sponsors for the IBEW and NECA.

8.5.3.4 The receiving JATC must agree to accept the transfer, acting on behalf of the official program sponsors for the IBEW and NECA.

8.5.3.5 The receiving JATC shall have complete access to all apprenticeship records pertaining to the transferring apprentice.

8.5.3.6 The transferring apprentice must:

8.5.3.6.1 Complete an Application.

8.5.3.6.2 Provide to the JATC official documentation pertaining to their participation in the apprenticeship program they are transferring from. An official copy of all records established with the sponsoring JATC (including a copy of the application form and the apprenticeship agreement – properly registered with the Registration Agency) and other information submitted shall be provided to the receiving JATC.

8.5.3.6.3 The receiving JATC will examine all documentation submitted before granting permission to transfer. All such records shall become part of the receiving JATC's permanent files.

8.5.3.6.4 Upon being accepted by the receiving JATC, have their existing apprenticeship agreement terminated and have registration proceedings initiated immediately by the receiving JATC and the appropriate Registration Agency. The Registration Agency will be provided with all documentation necessary and/or required to verify that the transfer is justifiable.

8.5.3.7 The apprentice will receive full credit for probationary time previously served. No plan assets will be transferred between the plans to cover the cost of the apprentice's education.

8.5.4 Other Means.

8.5.4.1 Individuals who qualify under 8.4.1.3 two years military electrical experience, 8.4.2.2 4000 hours, 8.4.3 Interim Credential, 8.4.6 pre-apprenticeship, or 8.4.7 industry needs, may qualify for direct entry, after interview based upon standard, non-discriminatory evaluation factors (e.g., top 50% of class ranking for those with Interim Credentials, a defined cut-off or pass/fail score on knowledge-based tests or skills-based tests or other exams, or a pass/fail interview).

- 8.5.4.2 The JATC may, in its discretion, determine that due to industry needs, individuals in one or more categories until 8.5 will be offered direct entry rather than direct interview for a period of time.
 - 8.5.4.3 Decisions to permit direct entry under these options, and for what period of time, should be recorded in the Minutes of the Committee and publicized through the Notice of Apprenticeship Opportunity, prior to each period of application and interviews.
 - 8.5.4.4 A decision to permit direct entry instead of direct interview must be made before or promptly after an interview, before interviewees are placed on the ranked list. Once an applicant is placed on the ranked list, their status cannot be changed to Direct Entry.
- 8.6 *Post-Selection Requirements.* All selected applicants (including those admitted through direct entry) must meet the following minimum requirements at the time indicated in these Selection Procedures, typically after a conditional offer is made and prior to registration.
- 8.6.1 Provide any remaining documentation required to complete the selection process.
 - 8.6.2 Not be disqualified as a result of information obtained by the JATC during the selection process, including interviews, verification of information, reference checks or other information made available to the JATC prior to registration.
 - 8.6.3 Pass all required drug-screen tests. The cost of the test is to be borne by the JATC. If the applicant fails any pre-registration drug test, refuses to take any pre-registration drug test, or has insufficient hair or urine for any pre-registered drug test, each of which constitutes a failed pre-registration drug test, the conditional offer will be revoked.

9. Selection and Placement

Selection of Applicants will be done under the Selection Procedures (Appendix A). Applicants placed on the ranked list shall remain active for one (1) calendar year from the date of interview, subject to exceptions.

10. Credit for On-The-Job Skill Acquisition and Previous Related Training

- 10.1 Every applicant who qualifies for Direct Interview or Direct Entry, and who is subsequently registered, will be evaluated by the JATC to determine, using standard means of evaluation, if OJT and/or related instruction credit will be awarded for previous training and experience.
- 10.2 Qualified applicants interviewed and selected for apprenticeship under these Standards who have previously completed another IBEW/NECA apprenticeship will be awarded a minimum of three thousand, five hundred (3,500) hours of OJT credit. Such individuals will be properly evaluated by the JATC and placed in the appropriate year of related training.
- 10.3 Qualified applicants selected for registration who have the *electrical training ALLIANCE* Interim Credential shall be placed in Second Year related instruction if the Interim Credential was received within three (3) years of the date of registration.

- 10.4 Other applicants selected for registration who have previous knowledge and skill acquisition in the electrical construction industry can ask for and have such work and job experience evaluated by the JATC prior to signing an Apprenticeship Agreement. The apprentice cannot request an evaluation of past experience after signing.
- 10.5 Where such experience warrants, the JATC can place the apprentice in the appropriate period with the commensurate wages as determined by the JATC. The JATC will use consistent and equal ways and means for measuring and evaluating individuals to determine how much credit to award, for both OJT and related training. Hours of OJT credit awarded and related instruction placement are independent of one another. Those awarded OJT credit and assigned to the appropriate pay period classification may be given additional time to successfully complete related instructional requirements.
- 10.6 Advanced standing is subject to review throughout the probationary period. During this time, OJT and classroom performance will be evaluated to determine if any readjustment concerning OJT or related training status is warranted, including re-evaluation and reassignment of apprenticeship period and level of related instruction, as the JATC determines.
- 10.7 The JATC permits individuals with previous education and training to test out of related courses. It has developed a non-discriminatory policy adopting uniform written and proficiency-type examinations to be used in determining whether or not to award credit and waive specific course(s), or area(s) of training.

11. The Apprenticeship Agreement

- 11.1 Before being employed as an apprentice or enrolled in related instruction classes, the selected applicant must sign an Apprenticeship Agreement with the JATC. The Apprenticeship Agreement will be submitted to the Registration Agency for approval. The Standards and the JATC's Rules and Policies (as they may be amended) shall be considered a part of the Apprenticeship Agreement.
- 11.2 Prior to signing the Apprenticeship Agreement, each selected applicant shall be given an opportunity to read and review the Standards, the JATC's Rules and Policies, the Apprenticeship Agreement, and the section of the CBA that pertains to apprenticeship. Selected applicants shall sign an acknowledgement that they have reviewed the documents and willing to abide by them.
- 11.3 The JATC and the Apprentice shall sign the Apprenticeship Agreement and each receive a signed copy. The JATC shall follow the procedures of the Registration Agency regarding the submission of the Apprenticeship Agreement (e.g. PWAA).

12. Probationary Period

- 12.1 The first 2,000 hours of OJT, and satisfactory performance in related classroom training during such time, shall constitute the probationary period. During the probationary period, the JATC shall make a thorough review of the apprentice's ability and development.

- 12.2 Prior to the end of the probationary period, the JATC will decide whether to end the probation, extend the probation or cancel the Apprenticeship Agreement. If the Registration Agency so requires, the Registration Agency shall be notified of cancellations or extensions.
- 12.3 During the probationary period, the JATC may extend the probation up to the maximum, or cancel the apprenticeship agreement, without the formality of a hearing and at the discretion of the JATC, so long as the JATC is acting in a non-discriminatory manner. Apprentices whose agreements are cancelled during the probationary period have no appeal rights other than those provided in the EEO/AA Plan.

13. Related Instruction

- 13.1 Each apprentice shall be required to participate in non-compensable related instruction away from the job as specified below.
- 13.2 Topics to be studied (completed) as part of the required *electrical training ALLIANCE* curriculum shall include, but not be limited to those listed below. The order of presentation and/or year of presentation may change from time to time.

FIRST YEAR – 180 HOURS MINIMUM

Codes and Standards
Electrical Theory
Industry Orientation
Installation Applications
Jobsite Skills and Practices
Safety Awareness

SECOND YEAR – 180 HOURS MINIMUM

Codes and Standards
Construction Documentation
Electrical Equipment
Electrical Theory
Industry Orientation
Installation Applications
Safety Awareness

THIRD YEAR – 180 HOURS MINIMUM (108 HOURS CORE MINIMUM AND 72 HOURS ADVANCED MINIMUM)

Codes and Standards
Construction Documentation
Construction Leadership
Electrical Systems
Electrical Theory
Safe Material and Equipment Handling
Safety Awareness

FOURTH YEAR – 180 HOURS MINIMUM (72 HOURS CORE MINIMUM AND 108 HOURS ADVANCED MINIMUM)

Codes and Standards
Construction Documentation

Electrical Control Systems
Electrical Systems Electrical
Equipment Safety Awareness

FIFTH YEAR – 180 HOURS MINIMUM (72 HOURS CORE MINIMUM AND 108 HOURS ADVANCED MINIMUM)

Codes and Standards Electrical
Control Systems Electrical
Equipment Industry
Orientation
Jobsite Skills and Practices
Safety Awareness

ADVANCED TOPICS

THIRD YEAR – 72 HOURS MINIMUM, FOURTH YEAR – 108 HOURS MINIMUM, FIFTH YEAR – 108 HOURS MINIMUM

Advanced Codes and Standards
Advanced Construction Documentation
Advanced Construction Leadership
Advanced Distributed Generation
Advanced Communications Systems
Advanced Control Systems
Advanced Electrical Equipment
Advanced Electrical Systems
Advanced Limited Energy Systems
Advanced Safety Awareness
Advanced Theory

- 13.3 The time spent in related classroom instruction, which may include blended learning, shall be in addition to the required minimum hours of OJT. The minimum number of classroom hours per year may change from time to time in order to meet training needs. Such changes must be properly approved by the Registration Agency.
- 13.4 The JATC shall secure competent instructors whose knowledge, experience and ability to teach shall be carefully examined and monitored. The instructors shall take the teacher training courses made available from the *electrical training ALLIANCE* (or state required equivalent) through attendance, participation and working towards completion of the Industry's Four-Year National Training Institute Teacher-Training program.
- 13.5 The JATC shall secure the instructional aids and equipment it deems necessary to provide quality instruction.
- 13.6 The instructors shall administer or oversee *electrical training ALLIANCE* standardized tests in a timely manner. Such tests shall be evaluated, scored, and reviewed with the class. If tests are not administered electronically, the instructor shall ensure that all tests and materials are collected and provided to the JATC.
- 13.7 The JATC shall monitor the apprentice's performance in related training and take appropriate action to encourage improvement where warranted. JATCs will require performance reports to be filled on a regular basis by each instructor, evaluating the apprentice's related instructional training performance. Such reports shall be maintained by the JATC as part of its official file for each apprentice, providing an accumulative record of performance in related training.

- 13.8 The JATC shall inform each graduating apprentice of availability of college credit through the *electrical training ALLIANCE's* College Credit Program with the American Council on Education (“ACE”), and any Continuing Education Units (“CEUs”) that may be available.
- 13.9 Certain related instruction may be provided online, rather than in a traditional classroom or laboratory setting. If an apprentice is required to attend related instruction online, the apprentice must have access to the Internet via a computer, and must complete all online assignments and the total required hours of each session in the allotted amount of time. The computer will not be provided by the apprenticeship program and the Internet access fees will not be paid by the apprenticeship program.
- 13.10 Such instruction will not be the financial responsibility of the apprentice with the possible exception of the purchase of books.

14. Safety and Health Training

- 14.1 The Employers are responsible for instructing apprentices in safe and healthful work practices and shall ensure that the apprentice is trained in facilities and other environments that are in compliance with either the Occupational Safety and Health Act standards promulgated by DOL or State or local standards that have been found to be at least as effective as the Federal standards.
- 14.2 The JATC shall see that all apprentices complete CPR/First Aid training during their probationary period. The JATC shall also attempt to see that graduates of its apprenticeship program possess a current CPR/First Aid card. NOTE: This training requires additional classroom hours.
- 14.3 The JATC shall see that each apprentice successfully completes the *electrical training ALLIANCE/OSHA* approved, Ten-Hour Construction Safety course, before beginning the Second Year of related instructional training. NOTE: This training requires additional classroom hours.

15. Hours of Work; Assignments

- 15.1. The apprentice shall work the hours that are specified in the local CBA or such hours that are set by an Employer consistent with the CBA. The current hours of work shall be included in the Rules and Policies. The apprentice’s work shall not interfere with attending related instructional classes.
- 15.2. The JATC shall maintain a standard procedure for assignment of apprentices and endeavor to ensure continuous employment for all apprentices, and adequate training and experience in all work process as described in Section 16. The JATC shall make all OJT assignments and reassignments consistent with the CBA. In order to achieve these objectives an apprentice may be transferred or reassigned to another participating employer as determined by the JATC in its discretion.
- 15.3. In the event that the JATC is unable to provide an eligible apprentice with an OJT assignment, apprentices may seek temporary employment outside of the electrical construction industry. Regardless of employment status, apprentices must continue to report for their regularly scheduled related instructional classes. Apprentices shall remain at all times subject to

immediate call by the JATC for an OJT assignment given by the JATC. Under no circumstances shall a participating employer be denied the assignment of an apprentice due to an apprentice temporarily working outside the CBA. Failure to immediately comply with instructions to return to the JATC for an OJT assignment may result in cancellation of the apprentice's apprenticeship agreement.

- 15.4. The JATC may assist apprentices in seeking temporary employment by providing access to resources, establishing connections with local employers or other methods.

16. Work Experience

- 16.1 In order to provide for the development of the necessary occupational skills in the various work processes, the JATC shall attempt to provide the apprentice with OJT in the following categories, as job training assignments permit. These estimates are not minimum requirements for proficiency. Some job assignments may relate to more than one work process.

INSIDE QUALIFIED ELECTRICAL WORKER

(Existing Title: Electrician)

O*NET-SOC CODE: 47-2111.00

RAPIDS CODE: 0159

WORK PROCESS	APPROX. HOURS OJT
PROJECT LAYOUT AND PLANNING	100
Reading and interpreting blueprints and specifications	
Coordination between crafts, engineers and architects	
Layout feeders, risers and branch circuits	
UNDERGROUND INSTALLATIONS	800
Trenching and ditch digging	
Direct burial	
Installing PVC/Rigid conduit	
Installing grounding electrode systems	
THINWALL CONDUIT RACEWAY SYSTEMS	1600
Fastening and supporting devices	
Conduit fabrication	
Installation of conduit, fittings and boxes	
RIGID CONDUIT RACEWAY SYSTEMS	800
Fastening and supporting devices	
Bender setup	
Conduit fabrication	
Installation of conduit, fittings and boxes	
INSTALLING SERVICES, SWITCHBOARDS AND PANELS	500
Mounting devices	
Breaker installation	
Terminations	

WORK PROCESS	APPROX. HOURS OJT
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FLOOR DUCT INSTALLATION	15
Transit/grade establishment	
Installing duct and fittings	
Core drilling and outlet installation	

MOTOR CONTROL CENTER INSTALLATION	100
Rigging and mounting	
Terminating feeders, branch circuits and control wiring	

INSTALLING, SPlicing & TERMINATING WIRES AND CABLES	1000
Establishing temporary power	
Feeders and branch circuits	
Control wiring	
Splices, taps and terminations	

CABLE TRAY INSTALLATION	150
Fabrication	
Installing support devices	
Installing cable tray and covers	

LIGHTING SYSTEM INSTALLATION	800
Installing outlet boxes and conductors	
Installing fixtures	
Control devices	

TESTING AND TROUBLESHOOTING FEEDERS, MOTORS AND BRANCH CIRCUITS	180
Checking circuit continuity	
Identifying fault current to ground	
Meggering and Hi Potting	
Certifying system operations	
Repair and maintenance	
Ground verification	

FIRE ALARM INSTALLATION	180
Blueprint and specification interpretation	
Layout and circuit installation	
Control panel and device installation	
Programming and testing	

MOTOR INSTALLATION	50
Rigging and setting	
Alignment	
Circuiting and Terminations	
Testing	

WORK PROCESS	APPROX. HOURS OJT
CONTROL SYSTEM INSTALLATION	100
Blueprint and specification interpretation	
Layout and circuit installation	
Distributed control	
INSTALLING AND PROGRAMMING PROGRAMMABLE LOGIC CONTROLLERS	50
Module installation	
Control wiring and devices	
Programming	
INSTALLING INSTRUMENTATION AND PROCESS CONTROL SYSTEMS	50
Blueprint and specification interpretation	
Layout and installation	
Calibration	
SECURITY SYSTEM INSTALLATION	100
Blueprint and specification interpretation	
Layout	
Box and circuit installation	
Termination	
Testing	
INSTALLING SOUND AND COMMUNICATION SYSTEMS	300
Blueprint and specification interpretation	
Layout	
Conduit and box installation	
Installing panels and network	
Circuit installation	
Terminations and testing	
INSTALLING AND TERMINATING TRANSFORMERS	150
Rigging and mounting	
Primary and secondary terminations	
Testing and troubleshooting	
INSTALLING FIBER OPTIC CABLE	200
Equipment layout	
Installing cable	
Polishing and terminating	
Testing and verifying	
ALTERNATIVE ENERGY SOURCES (SOLAR, WIND, FUEL CELL, ETC.)	50
Blueprint and specification interpretation	
Layout and installation	
Testing, verifying and troubleshooting	

WORK PROCESS	APPROX. HOURS OJT
WELDING AND BRAZING	25
Machine setup	
Fabrication	
Welding, grinding and finishing	
SERVICE AND TROUBLESHOOTING	200
Testing and analysis and repair of motors, transformers, electrical devices, electronic devices, magnetic devices, lighting and power circuits, equipment and machinery, control circuits and devices	
MATERIAL HANDLING AND PRE-FABRICATION	450
Material/equipment awareness	
Fabricating for field installation	
SAFETY AWARENESS & OTHER SPECIALIZED AREAS	50
TOTAL MINIMUM HOURS OF OJT	8,000

- 16.2 The JATC shall require each apprentice to submit a work report on a monthly basis. Such reports shall be maintained by the JATC as part of its official file for each apprentice. The JATC shall use reports and other evaluations and records the JATC may use to provide an accumulative OJT record of experience in the various work processes for each apprentice.
- 16.3 All OJT work shall be performed under the supervision of a Qualified Electrical Worker. Supervision will not be of such nature as to prevent the development of responsibility and initiative. Work may be laid out by an Employer's designated supervisor based on the apprentice's skills and ability to perform the job tasks, after which the apprentice shall be permitted to perform job tasks in order to develop job skills and industry competencies.
- 16.4 Apprentices with a minimum of 6,500 hours of OJT who have successfully completed the Fourth Year of related instruction, may be permitted to perform electrical construction work without the direct supervision of a Qualified Electrical Worker as follows: while the apprentice's supervising Qualified Electrical Worker must be present on the job site, and the apprentice should not be the first worker assigned to the job, such apprentice may be assigned to independently perform job tasks at the job site consistent with the apprentice's skills, knowledge, and ability to perform the work as determined by the Employer.
- 16.5 An apprentice shall not supervise the work of any other apprentice or workers of any other classification.

17. Number of Apprentices: The Ratio

The numeric ratio of apprentices to QEWs, consistent with proper supervision, training, safety, and continuity of employment, shall be specified in CBAs applicable to these Standards and must be expressed numerically. The ratio for the New Mexico Joint Apprenticeship and Training Committee for the Electrical Industry as per the CBA is (1) apprentice to (1) QEW.

18. Temporary Training Opportunities

Apprentices may be permitted to receive OJT and related training on a temporary basis with another IBEW/NECA JATC, provided that the apprentice, both the JATCs and their respective Local Unions and Local Chapters agree on such assignment. Before apprentices are given a temporary OJT assignment, they must supply the host JATC with an official copy of their apprenticeship agreement, clearly indicating that it has been properly registered with the applicable Registration Agency. Apprentices shall remain subject to reassignment by the JATC with whom they are registered. Failure to immediately comply with such instruction to return to the JATC with whom they are registered may result in the cancellation of the apprentice's apprenticeship agreement; in which case, the apprentice would no longer be employable under the CBA in any jurisdiction.

19. Advancement of Apprentices

- 19.1 Every two months during the first year of apprenticeship, and at least yearly thereafter, the JATC shall examine the progress of the apprentice on the job and in related instruction, based on apprenticeship evaluation completed by an Employer and other available information. The JATC shall also receive a monthly OJT training report from each Employer showing the experience and training in the various work processes acquired by the apprentice and evaluating the apprentice.
- 19.2 The JATC shall evaluate the apprentice's overall performance and accomplishments at the end of each period. Action must be taken on each apprentice to approve advancement, extend present rating for a specified probationary period, or cancel the apprenticeship agreement, with due notice to the apprentice and a reasonable opportunity for corrective action. Proper documentation shall be maintained of all action taken by the JATC.

20. Cancellation or Resignation of Apprenticeship Agreement

- 20.1 An Apprenticeship Agreement may be canceled at the request of the apprentice at any time.
- 20.2 An Apprenticeship Agreement may be suspended for a specified period of time, canceled or terminated by the JATC for good cause, with due notice to the apprentice and, in appropriate circumstances, a reasonable opportunity for corrective action. Written notice shall be provided to the apprentice and to the Registration Agency (if required).
- 20.3 Individuals who have been suspended or terminated from apprenticeship shall not be assigned by the JATC in any capacity. Suspended or terminated apprentices are not eligible to participate in any related training activities and, as per the CBA, they are not eligible for any job assignments under the CBA unless the JATC has determined that the individual is eligible for a change to another classification recognized in the CBA.
- 20.4 When an apprentice's Apprenticeship Agreement is terminated before satisfactory completion of their apprenticeship, the resulting vacancy may be filled by selecting and registering the next individual from the current eligibility list; provided all registered apprentices who are available for OJT assignments are so assigned. In the event that related instructional training classes are not available in the immediate future, the individual(s) registered shall begin informational/awareness classes just as soon as possible. These courses may include topics such as: Industry

Awareness, Communications, Productivity, Marketing, CPR, Tech Math, Safety Awareness, and General Orientation.

21. Complaint Procedures

- 21.1 The JATC shall have full authority and responsibility to review and shall seek to resolve all issues and/or disputes pertaining to all apprenticeship and training matters. The JATC shall hear and consider all complaints of violations concerning the Apprenticeship Agreement and the Standards, and shall make such rulings, as it deems necessary and appropriate in its discretion. Apprentices have the right to request an appearance before the JATC concerning specific issues or matters dealing with their apprenticeship agreement. Such requests must be in writing to JATC, 4501 Montbel Loop NE, Albuquerque, NM 87107, (505) 341-4444, director@nmjatc.org. The JATC shall adopt a formal Complaint Procedures as part of its Rules and Policies. Apprentices and applicants have no right to representation by an attorney or others during JATC investigations and meetings, unless otherwise provided in the Rules and Policies.
- 21.2 Any apprentice or applicant for apprenticeship who believes they have been subject to discrimination in violation of the EEO/AA Plan or federal, state, or local law has the right to file an internal complaint with the JATC and rights to file external complaints with the U.S. Department of Labor, EEOC, and/or applicable state or local agencies. See EEO/AA Plan.
- 21.3 All applicants and apprentices have the right to file complaints regarding any issue with the Registration Agency. Applicants and apprentices will be provided with a copy of the Notice of Rights. See EEO/AA Plan.
- 21.4 All apprentices have the right to seek resolution through the applicable Grievance and Arbitration Articles of the CBA for issues arising on the job: wages, hours, working conditions, and other issues covered by the CBA. Apprentices should first provide notice to the JATC.
- 21.5 A Local Union receiving a grievance from or about an apprentice shall notify and involve the JATC, which has the primary responsibility for apprentices under Article V of the standard Inside Agreement.

22. Certification of Completion

- 22.1 Upon satisfactory completion of the *electrical training ALLIANCE*'s Five-Year course of study, accumulation of a minimum of 8,000 hours of OJT, and acquisition of appropriate jurisdictional QEW Electrical License, the JATC will certify to the sponsoring parties, to the *electrical training ALLIANCE* and to the Registration Agency that the apprentice has satisfied the requirements of his or her apprenticeship agreement.
- 22.2 The JATC will present each graduating apprentice with a Certificate of Completion issued by the *electrical training ALLIANCE*. The JATC shall request a Completion Certificate from the *electrical training ALLIANCE* for every individual completing the apprenticeship program. Each Certificate shall be approved and signed by the officers of the JATC. The JATC shall submit a signed request for a Certificate of Completion of Apprenticeship to the Registration Agency.
- 22.3 The JATC shall notify the IBEW Local Union of the date of each satisfactory completion, allowing the Local Union to reclassify the individual as per IBEW By-Laws, rules and policies.

The JATC will likewise notify the graduating apprentice's current Employer and the NECA Chapter.

23. Program Deregistration

This Program may be deregistered upon the voluntary action of both the Local Union and the Local Chapter through their request to the Registration Agency for cancellation of the registration. The program may also be deregistered for reasonable causes by the Registration Agency, in accordance with its formal deregistration proceedings.

Upon deregistration or voluntary cancellation of the program, the JATC will inform each apprentice within 15 days of the deregistration or cancellation and the effect of such action. This notification will conform to the requirements of Title 29, Code of Federal Regulations, Part 29.8, 11.2.3.28 NMAC, and any applicable State or local regulations.

24. Maintenance of Records

The JATC shall maintain records as required by 11.2.2.17 NMAC or other state and federal laws.

25. Collective Bargaining Agreement

Nothing in these Standards or in any apprenticeship agreement will operate to invalidate:

- 25.1 Any apprenticeship provision in any collective bargaining agreement between employer and employees establishing higher apprenticeship standards; or,
- 25.2 Any special provision for veterans, minorities or women in the Standards, apprentice qualifications or operation of the program, or in the apprenticeship agreement, which is not otherwise prohibited by law, Executive Order, or authorized regulation.

26. Conformance with Federal Law and Regulations

No Section of these Standards of Apprenticeship shall be construed as permitting violation of any Federal Law or Regulation.

APPENDIX A

Apprenticeship Selection Procedures

27. Procedures for Processing Applications and Selecting Apprentices

The JATC has adopted the following Selection Procedures for its Apprenticeship Program. These procedures shall be uniformly maintained and consistently applied to all individuals interested in the Apprenticeship Program.

27.1 Application Availability.

27.1.1 The JATC accepts applications in the time and manner indicated below.

The JATC will make applications available at the training center Monday through Friday from 8:00 a.m. to 5:00 p.m.

27.1.2 The JATC will notify the Registration Agency and other appropriate parties (including recognized outreach and affirmative action groups), as indicated in the JATC's EEO/AA Plan, informing them of its year-round application procedure – including the nature of apprenticeship, requirements for admission to apprenticeship, availability of apprenticeship opportunities, how to access apprenticeship applications, and the JATC's EEO/AA policies.

27.1.3 The JATC has discretion to determine how often interviews will be conducted, and this may change during the year based upon industry needs. If a fixed interview schedule is established (e.g., monthly, quarterly, or semi-annually), the JATC will notify the Registration Agency of the dates as part of its semi-annual notice. If the JATC decides to interview on an as needed basis, the Registration agency will be notified of the scheduled interviews a minimum of thirty (30) days prior to the first interview date. Interviews shall be conducted in accordance with the notification supplied to the Registration Agency.

The JATC will interview on the following basis: As Needed

27.2 General Rules Concerning Applications and Record Keeping

27.2.1 The JATC will use the Application and any related forms approved by the *electrical training ALLIANCE*.

27.2.2 Application forms will be issued and accepted electronically, or in accordance with the procedure adopted by the JATC indicated in 27.1.

27.2.3 Everyone expressing an interest in making application with the JATC will be provided access to and/or issued an application form during the application period. The application must conform so no one will be denied a right to apply, even if there is a question about their ability to meet minimum qualifications.

27.2.4 The JATC shall provide reasonable accommodations during the application process to individuals with disabilities who request them. The JATC's procedures for requests for accommodation are contained in its Rules and Policies.

27.2.5 An Application Record will be maintained by the JATC to show the status of each applicant.

- 27.2.6 No member of the JATC, or any employee of the JATC, shall reveal or discuss any information pertaining to any applicant except during the applicable meetings of the JATC or to members of the JATC staff involved in the application process.
- 27.2.7 All application forms and all related information and documents pertaining to applicants, including all correspondence sent to applicants by mail or electronically, are the property of the JATC and shall be considered confidential proprietary information. Records shall be maintained as required by the Registration Agency and by law.

27.3 Qualifications for Applicants

The various methods under which an applicant may qualify for entry into the ranked pool, Direct Interview or Direct Entry are detailed in the Standards. These must be summarized in the Notice of Apprenticeship Opportunity.

27.4 Application Process

27.4.1 Application.

- 27.4.1.1 A written description of the basic requirements shall be included in the Notice of Apprenticeship Opportunity, must be posted electronically and must be available at the JATC office.
- 27.4.1.2 The JATC shall collect and maintain information on individuals requesting access to applications. The JATC may establish procedures to follow-up with those expressing interest as part of its recruitment efforts.
- 27.4.1.3 The applicant will be provided electronic access or in paper format to an application and the voluntary self-identification forms. Applicants must submit the application; resumes or similar documents will not be accepted in lieu of the application.
- 27.4.1.4 As each application is received, the JATC shall ensure that it receives a unique serial number for that applicant. The applicant's name, date of the application, and serial number of the application will then be included in the Application Record.

27.4.2 Information to be Provided to and Received from Applicants.

- 27.4.2.1 The following information must be provided to each applicant either online or within a reasonable time of not more than ten (10) days after the Application is received. If permitted by the Registration Agency, this information may be provided in paper or electronic formats, and transmitted to applicants in person, mail, by electronic means and/or by a link to the JATC's website or other online site.
 - 27.4.2.1.1 A list of Basic Qualifications required to enter the pool of eligible applicants.
 - 27.4.2.1.2 A copy of the Standards (including the EEO/AA Plan and Selection Procedures), and the JATC's Rules and Policies.
 - 27.4.2.1.3 Specific information pertaining to the apprenticeship program, noting the geographical area of the jurisdiction, the periods of apprenticeship and the wages provided for each period. The applicant's attention will also be called to the work processes in the Standards and the apprentice's obligations and

requirements to participate in, and complete, related instruction. The JATC may, but is not required to, highlight any other key requirements from the JATC's Rules and Policies.

- 27.4.2.1.4 A list of things the applicant must do, and items they must provide, in order to qualify for an interview with the JATC. This document will inform the applicant if they are required to take the Aptitude Test to qualify for the interview, and that qualified applicants are interviewed in the order in which they complete their application by providing all required documents and transcripts.
- 27.4.2.1.5 A list of information they may have to provide as part of the application process, and post-selection requirements that they will have to meet if they are selected from the list or through Direct Entry and are given a conditional offer of registration, as provided in the Standards. This information will be available for review when getting access to an application, and again when invited to the interview.
- 27.4.2.2 Applicants will be informed that they have 30 days to provide all transcripts, and any other documentation required by the JATC, to qualify for an interview.
- 27.4.2.3 Applicants will be informed of optional information that they are permitted to provide and information that the JATC will or may obtain and use. This list will be available for review when getting access to an application, and again when invited to the interview.
- 27.4.2.4 If the applicant indicates on the application a prior felony conviction, the JATC may choose to request that additional information be provided prior to the interview or may choose to wait until after a conditional offer is made.

27.4.3 Processing Applications.

- 27.4.3.1 As applicant information is received, the JATC will record dates and other pertinent information in the Application Record. When all information and documentation is complete, the date of receipt of the last required information will be recorded in the Application Record in the completion column.
- 27.4.3.2 If an applicant fails to provide all required documentation by the cut-off date, the column indicated "Application Not Completed" will be checked in the Application Record.

27.5 Testing and Interview Process

27.5.1 Aptitude Test

The JATC will schedule all qualified applicants (other than those entitled to Direct Interview or Direct Entry) for the properly validated aptitude test required by the JATC and approved by the *electrical training ALLIANCE*. The applicant will be notified in writing as to the time, place, and date they are to complete the aptitude test. The applicant's aptitude test results will be entered into the Application Record. Aptitude Test scores will not be shared with the interview committee. The Aptitude Test scores should not be shared with the applicant, only pass/fail.

27.5.2 Scheduling for Interviews

- 27.5.2.1 After all transcripts, materials and aptitude test results (if applicable) are received, the JATC will review the documents to determine if the applicant qualifies for an interview based on the qualifications outline in the Standards. If the applicant does not qualify for an interview with the JATC, the applicant will be so notified. The Application Record will note that the applicant was “Not Qualified for Apprenticeship” and the date the letter was sent.
- 27.5.2.2 The JATC will schedule interviews as indicated in Section 1. The JATC will interview all applicants who qualify for an interview and report for the interview as scheduled. The applicants will be interviewed in order based upon the date and time their application process was complete.
- 27.5.2.3 The list of applicants to be interviewed may be broken into smaller groups if more than one interview session is to be scheduled. Interview sessions will be scheduled to allow for the interviewing of all applicants who qualify for an interview.

27.5.3 Conduct of Interview

- 27.5.3.1 Interviews will be conducted in accordance with the interview forms and procedures developed by the *electrical training ALLIANCE*.
- 27.5.3.2 Unless an applicant is referred to the JATC due to potential disqualifying factor upon completing all scheduled interview sessions, all interviewed applicants will be notified that they shall remain on the active list, subject to selection, for a period of one (1) year from the date of their interview. This notification shall indicate that on the anniversary date, their eligibility shall expire.

27.6 Disqualification

Prior to, during or after the interview, and prior to registration, the JATC may learn of information that may disqualify the applicant and render them unable to meet the requirements of the program. The JATC or its designee shall discuss those issues with the applicant, provide the applicant with an opportunity to explain and, where appropriate, obtain relevant documentation. If the applicant does not voluntarily withdraw his or her application, the applicant may be referred to the JATC for a decision on whether the applicant should be disqualified and not placed on the active list, or should be removed from the list.

27.7 Re-Interview Process

- 27.7.1 If after a minimum of ninety (90) days from the date of their most recent interview with the JATC, an applicant has gained at least 450 hours of documented work experience in the electrical construction industry, or has successfully completed two (2) or more post-secondary, industry related classes, the applicant is eligible to make a request to be re-interviewed by the JATC by completing the JATC’s Re-Interview Request Form. Examples of related classes include: Algebra I and II, Geometry, Trigonometry, Advanced Math, Physical Sciences, Physics, Chemistry, Industrial Arts, Mechanical Drawing/Drafting, Computer Literacy/Programming, Related Vocational/Technical Courses.
- 27.7.2 The JATC is not obligated to grant a re-interview to an applicant where the factors on which the score was based would not be affected by additional experience or education. The JATC will respond to the request in a timely manner.

27.8 Ranking and Selection

- 27.8.1 The JATC will place all individuals currently active on the list in ranked order. The ranked list will identify each individual's: rank, name, application number, date of interview, score to two decimal places, and eligibility expiration date. A current copy of the complete ranked list will be filed with the Registration Agency prior to selection and registration to any individual entering the apprenticeship program through the standard selection process.
- 27.8.2 When new interviews are scheduled and completed, the JATC will add the newly interviewed applicants to its existing ranked list of applicants. Whenever a new ranking list is created, a copy will be provided to the Registration Agency.
- 27.8.3 The number of new apprentices to be selected, at any time, will be determined by the JATC, based on industry needs and the JATC's ability to provide training.
- 27.8.4 Selection of individuals from the list of interviewed applicants will not be done until all pre-scheduled interview sessions are completed. The Registration Agency shall be promptly notified of all individuals entering the apprenticeship program through any means of entry.
- 27.8.5 The actual selection of individuals will be made by using the current ranked list, starting with the top score, and continuing on, in descending order, until the desired number of accepted applicants has been reached. The only individuals who may be registered ahead of those on the current ranked list are those entering through approved direct entry methods, including transfer and organizing procedures. Selection from the current ranked list must be the highest on the list; the JATC cannot skip over individuals.
- 27.8.6 All selected applicants will be notified in writing of the JATC's offer of apprenticeship. The offer will be conditioned on completion of any required post-selection steps set out in the Standards, and will note which conditions apply.
- 27.8.7 Once applicants are interviewed and placed on the ranked list, they shall remain active and subject to selection, for a period of one (1) calendar year from the date of interview, unless they decline an offer, request to be removed from the list, fail to meet post-selection requirements, or they are approved for a re-interview.
- 27.8.8 All selected applicants (including direct entry) must provide any remaining documentation required to complete their applications process and satisfy all post-selection requirements in the Standards.

27.9 Applicant Appeals Procedure

Any applicant for apprenticeship who believes that he or she has been subjected to discrimination or other unfair treatment during the selection process on the basis of any protected category may file a complaint of discrimination using the JATC's internal Complaint Procedure set out in the JATC's Standards and EEO/AA Plan.

APPENDIX B

Equal Employment Opportunity Policy and Affirmative Action Plan

Preface

The *electrical training ALLIANCE* and the JATC adopting this EEO/AA Plan are committed to the concept and practice of Equal Employment Opportunity and Affirmative Action in all aspects of its apprenticeship programs and services. No apprentice or applicant for apprenticeship, or any other participant in JATC programs or services, will be treated differently or otherwise discriminated against on the basis of race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, age (40 or older), genetic information, disability, or other characteristics or conduct protected under applicable state or local laws.

The EEO/AA Plan is intended to comply with, and shall be interpreted consistent with, the affirmative action obligations under 29 C.F.R. Part 30, Title VII of the Civil Rights Act of 1964 (Title VII), the Age Discrimination in Employment Act (ADEA), Title I of the Americans with Disabilities Act (ADA), the Genetic Information Non-Discrimination Act (GINA), and any other federal, state, or local non-discrimination laws applicable to the JATC.

This EEO/AA Plan will remain in effect until the EEO/AA Plan is updated by the *electrical training ALLIANCE*, or until the JATC determines (based on its annual review) that there is a need for modification to ensure greater success in the recruitment, selection and retention of minorities, women, and individuals with disabilities. Any and all changes must be submitted to the *electrical training ALLIANCE* and the Registration Agency for approval before implementation.

28 Part I – General Provisions

28.1 Affirmative Action and Equal Opportunity

National data analyzed by the U.S. Department of Labor (DOL) reflects that in people of diverse race and ethnicity, women and individuals with disabilities have not shared proportionately in the rewards and opportunities within many industries and occupations. DOL and the Registration Agency determine, in revising the regulations in 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan that more aggressive action is needed to attract, select, and retain qualified applicants into apprenticeship programs, including more individuals of diverse race and ethnicity, women, and individuals with disabilities.

The IBEW-NECA segment of the Electrical Construction Industry has vigorously attempted to maintain an open-door application policy regardless of race, color, ethnicity, religion, national origin, sex, age, disability, and other protected characteristics. The JATC will engage in reasonable equal opportunity and affirmative action measures intended to increase the recruitment of qualified minorities, females, and individuals with disabilities who apply for, are selected, and ultimately become Qualified Electrical Workers.

28.2 Responsibility for Implementation

The coordination of responsibility for implementation of the EEO/AA Plan and any related policies and practices is assigned by the Committee to the Training Director who shall serve as the JATC's EEO/AA Coordinator. The EEO/AA Coordinator has the full resources of and access to JATC, Local Union, and Local Chapter leadership to insure effective implementation. The designation of a responsible person, as required by DOL and the Registration Agency regulations, does not relieve the Committee from its obligation to ensure compliance with 11.2.2 NMAC and 29 C.F.R. Part 30 and applicable laws, or the effective implementation of this EEO/AA Plan.

The duties and responsibilities of the EEO/AA Coordinator(s) include, but are not limited to:

- Monitoring all registered apprenticeship activity to insure compliance with the non-discrimination and affirmative action obligations;
- Developing and implementing EEO/AA policies;
- Developing and implementing internal and external communication techniques;
- Identifying potential problem areas;
- Assisting the JATC and others to arrive at solutions to identified problems;
- Serving as liaison between the JATC and enforcement agencies;
- Serving as liaison between the JATC and organizations, community action groups or other entities concerned with employment opportunities for minorities, women and individuals with disabilities;
- Keeping the JATC, Local Union, and Local Chapter informed of the latest development in the equal opportunity area;
- Meeting with the NECA Chapter and contractors as appropriate to make certain that the JATC's EEO/AA policies are being followed;
- Maintaining required records;
- Generating and submitting reports as required by the relevant Registration Agency; and,
- Designing and implementing auditing and reporting systems that, on an annual basis (as appropriate) will measure the effectiveness of the EEO/AA Plan, determine the degree to which the JATC's goals and objectives are being attained, and identify any need for remedial action.

28.3 Dissemination of EEO/AA Plan

The JATC will inform all applicants for apprenticeship, apprentices, and individuals who operate or administer any aspect of the registered apprenticeship program, of its commitment to equal opportunity and its affirmative action obligations. At a minimum, the JATC will:

- Publish its Equal Opportunity Pledge in the Apprenticeship Standards and in other relevant publications, such as the JATC's Rules and Policies; newsletters; recruitment publications and other appropriate publications; other documents disseminated by JATC; or documents that otherwise describe the nature of the sponsorship;
- Post its Equal Opportunity Pledge on its website and bulletin boards, and through electronic media, to insure that it is accessible to all apprentices and apprenticeship applicants;
- Conduct orientation information sessions for new apprentices, and periodic information sessions for apprentices, JATC staff, instructors and the JATC;
- Provide the EEO/AA Plan to the leadership of the Local Union and NECA Chapter; and,
- Provide copies of the EEO Pledge and other information to participating employers for their employees who are connected with the administration or operation of the apprenticeship program.

28.4 Anti-Harassment Training

As part of its efforts, the JATC will provide periodic anti-harassment training for all apprentices, JATC staff, instructors, and Committee members. This training must be attended in-person or be

completed via interactive online training. The training must communicate, at minimum, the following: (a) that harassing conduct will not be tolerated; (b) the definition of harassment and the types of conduct that constitute unlawful harassment on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, and disability; and, (c) the right to file a harassment complaint.

The JATC will also take steps, in consultation with the Local NECA Chapter, to ensure that all individuals connected with the administration or operation of the apprenticeship program will receive similar anti-harassment training, including all supervisors and Qualified Electrical Workers who work with apprentices.

28.5 Universal Outreach and Recruitment

The JATC will implement measures to insure that its outreach and recruitment efforts for apprentices extend to all persons available for apprenticeship within the sponsor's relevant recruitment area without regard to race, color, religion, national origin, sex (pregnancy, gender identity), sexual orientation, age (40 or older), genetic information, or disability. These actions are identified in Part III.

28.6 Complaint Procedure

28.6.1 Internal Complaints

All apprentices and applicants for apprenticeship have a right to and are encouraged to report any form of alleged discrimination or harassment that they may encounter in the administration or operation of this apprenticeship program on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, disability, or other protected characteristics, or retaliation by the JATC, its staff or instructors, or other apprentices, whether in class, on-the-job or otherwise; or that occurs on-the-job by contractors, Qualified Electrical Workers, or others.

JATC instructors and staff are expected to promptly report to the EEO/AA Coordinator any incident that they observe or learn of that may involve discrimination, harassment, or retaliation in violation of this EEO/AA Plan. Instructors should also act promptly to stop and reprimand any discrimination or harassment that they may observe.

All apprentices are encouraged to report to the EEO/AA Coordinator any incident that they observe or learn of that may involve discrimination, harassment, or retaliation of fellow apprentices in violation of this EEO/AA Plan, whether occurring during related instruction or on-the-job.

All applicants for apprenticeship and all apprentices will be provided with written notice of their right to file a discrimination complaint and the procedures for doing so. Apprentices are not required to use this internal complaint procedure before filing a formal complaint with outside agencies, and filing an internal complaint does not limit an apprentice's right to use other complaint procedures.

All complaints regarding discrimination or harassment should be submitted to the EEO/AA Coordinator or an individual designated by the EEO/AA Coordinator or the Training Director. Complaints may be made in writing or orally, and anonymous complaints will be accepted. A complaint of harassment may be made by someone who is not the target of harassment. Complaints should be filed as soon as possible after the alleged discrimination in order to allow

prompt investigation. Complaints that are made more than 300 days after the date of the alleged discrimination may be accepted for good cause.

Complaints of discrimination, harassment, or retaliation will be fully investigated. Complaints and information obtained in the course of an investigation will be treated as confidential to the extent consistent with the JATC's obligation under this EEO/AA Plan. The investigation process may vary based upon the nature of the complaint. For example, when alleged harassment occurs on the job, the JATC will typically notify the Employer, which will typically have the right and duty to investigate and take appropriate action. Employers are expected to notify the JATC when an incident on the job involves apprentices.

Any JATC employee or apprentice found to have committed an act of discrimination, harassment, or retaliation will be immediately disciplined. The nature of the discipline imposed will depend on the nature and severity of the misconduct and other factors, up to termination of employment or termination of apprentices from the program.

28.6.2 External Complaints

Any apprentice or applicant for apprenticeship who believes that he or she has been or is being discriminated against on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability, with regard to apprenticeship, or who believes he or she has been retaliated against, may, personally or through an authorized representative, file a written complaint with the DOL, EEOC, state or local fair employment practices agency, and/or the state apprenticeship bureau. The JATC has posted and distributed the DOL Notice describing "Your Right to Equal Opportunity" and included this notice on its website. A copy is attached as Exhibit A. The details of other rights are included in the Standards and the Rules and Policies.

28.7 Invitation to Self-Identify

The JATC is required under federal regulations to analyze its recruitment, selection, and retention as part of its Affirmative Action Plan (See Part III). To assist in this process, the JATC will invite applicants and apprentices to voluntarily self-identify their gender, race, ethnicity, and disability. This will be done at the time and manner permitted by 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan. The JATC will not compel or coerce any individual to self-identify. All information on self-identification will be kept confidential and used only for statistical analysis and reporting under the EEO/AA Plan. The JATC may also inquire whether an individual who discloses a disability requires any reasonable accommodations to participate in the apprenticeship program.

The JATC invites applicants and apprentices with disabilities to self-identify by using the appropriate forms as follows:

- When an applicant applies or is considered for apprenticeship, the JATC will provide the applicant with a voluntary form at the same time that it invites the applicant to self-identify with respect to other characteristics.
- At any time after acceptance into the apprenticeship program, but before the individual begins the program, the JATC will provide a copy of the form to each new apprentice.
- The JATC will annually notify all apprentices of their ability to voluntarily self-identify as a person with a disability.

- The JATC will post a copy of the “Voluntary Self-Identification of Disability” form on its intranet in the event the apprentice’s status changes and the apprentice would like to self-identify.

The JATC will also note in its records that an apprentice is an individual with a disability when: (i) the disability is obvious; or (ii) when an applicant or apprentice requests accommodation for a physical or mental impairment that meets the definition of a disability under the ADA. Unless the JATC receives information from an apprentice that a disability has ended, the JATC will continue to include in its records that the person has a disability.

28.8 Recordkeeping

As part of its EEO/AA obligations the JATC must collect and maintain records, including but not limited to records relating to:

- Selection for apprenticeship, including applications, tests and test results, interview notes, bases for selection or rejection, and any other records required to be maintained under the Uniform Requirements on Employee Selection Procedures (“UGESP”);
- The invitation to self-identify as an individual with a disability;
- Information relative to the operation of the apprenticeship program, including but not limited to job assignments in all components of the occupation, promotion, demotion, transfer, layoff, termination, rates of pay, other forms of compensation, conditions of work, hours of work, hours of training provided;
- Any other records relevant to EEO complaints filed with the Registration Agency or with other enforcement agencies;
- Compliance with the requirements of Section 30.3, Equal Opportunity Standards and 11.2.2.8 NMAC;
- Requests for reasonable accommodation; and,
- Any other records pertinent to a determination of compliance with 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan, including those required by 29 CFR §§ 30.5 and 11.2.2.10 NMAC, 30.6 and 11.2.2.11 NMAC, 30.7 and 11.2.2.12 NMAC, 30.8 and 11.2.2.13 NMAC, 30.9 and 11.2.2.14 NMAC and 30.11 and 11.2.2.15 NMAC.

DOL and the Registration Agency regulations require that for any record the JATC maintains pursuant to this part, the JATC must be able to identify the race, sex, ethnicity (Hispanic or Latino/non-Hispanic or Latino) and, when known, disability status of each apprentice, and where possible, the race, sex, ethnicity, and disability status of each applicant to apprenticeship, and to supply this information upon request to the Registration Agency. Although DOL and the Registration Agency prefers voluntary self-identification as the method of collecting information regarding race, gender, ethnicity, and disability, DOL and the Registration Agency permits other methods to be used, including information provided in post-selection, employment records or visual observation, if there is a factual basis (such as visual observation of gender or obvious physical disabilities; requests for accommodations; or complaints or comments by the applicant or apprentice disclosing race, gender, ethnicity, or disability). The JATC will not guess or assume the gender, race, ethnicity, or disability of an applicant or apprentice.

All required records shall be maintained in accordance with law. The JATC will permit access to the Registration Agency during normal business hours to its places of business for the purpose of conducting EEO compliance reviews and complaint investigations and inspecting and copying such books, accounts, and records, including electronic records, and any other material the Registration Agency deems relevant to the matter under investigation and pertinent to compliance.

29. Part II – EEO Policies and Procedures

29.1 Non-Discrimination and Equal Employment Opportunity

The JATC does not, and will not, discriminate against an apprentice or applicant, or any other participants in JATC programs and services, on the basis of race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, age (40 or older), genetic information, or disability with regard to any aspect of its apprenticeship programs, including but not limited to recruitment, outreach, and selection procedures, grading, assessment, and advancement; on-the-job opportunities and assignments; rates of pay; imposition of penalties or other disciplinary action and termination; and, any other benefit, term, condition, or privilege associated with apprenticeship.

29.2 Selection of Apprentices

The JATC's procedures for selection of apprentices are included in its Standards and Selection Procedures (Appendix A).

The JATC has reviewed its apprentice selection methods and has determined that they meet the following requirements:

- Compliance with the Uniform Requirements on Employee Selection Procedures (“UGESP”), 29 CFR Part 30, and 11.2.2 EEO in Apprenticeship State Plan, including the requirements to evaluate the impact of the selection procedures on race, sex, and ethnic groups (Hispanic or Latino/non-Hispanic or Latino), and to demonstrate job-relatedness and business necessity for those procedures that may result in adverse impact in accordance with the requirements of UGESP.
- The selection procedures are uniformly and consistently applied to all applicants and apprentices.
- The selection procedures comply with Title I of the ADA and the EEOC's implementing regulations at 29 C.F.R. Part 1630.
- The selection procedures are facially neutral in terms of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, and disability.
- The selection procedures do not screen out or tend to screen out individuals with disabilities or classes of individuals with disabilities on the basis of disability. To the extent this does occur, the standard, test and other selection criteria, are job related for the position in question and are consistent with business necessity.

29.3 Prohibition of Harassment

The JATC does not tolerate conduct, whether intentional or unintentional or verbal or physical, that results in harassment of an individual or group, or that creates an intimidating, hostile, or offensive work and training environment, on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, disability, or other protected characteristics.

The JATC has developed and implemented procedures to prevent and address harassment of apprentices, including the following activities:

- Communicate to all individuals involved with the Apprenticeship Program that harassing conduct will not be tolerated;

- Provide anti-harassment training to all apprentices, JATC staff, and Committee members, and work with participating Employers to ensure that similar training is provided to all of their employees who have dealings with or supervisor apprentices.
- Make all facilities and apprenticeship activities available without regard to any protected characteristic; and,
- Establish and implement procedures for investigating and resolving complaints of harassment.

The JATC expects its employees, apprentices, and Employers and their employees, to treat each other with respect and dignity. Discriminatory harassment not only hurts the immediate victim, but can result in a general atmosphere in which the purpose of the apprenticeship and training program is undermined.

All managers, supervisors, instructors, employees, and apprentices have a responsibility to maintain an environment free of unlawful harassment. JATC employees or apprentices who engage in such conduct will be disciplined, up to and including termination of employment or from the program. Employers who engage in such conduct against apprentices, or who permit their employees to do so, may be denied access to apprentices.

Unlawful discriminatory harassment is defined as unwelcome and unsolicited conduct when:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; submission to or reject of such conduct is used as the basis for employment decisions affecting the individual; or,
- Such conduct has the purpose of effect or unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct that may be discriminatory harassment if based upon protected characteristics include:

- Epithets, slurs, negative stereotyping, or threatening intimidating or hostile acts that relate to an individual's characteristics:
- Graphic, abusive, degrading, intimidating, or offensive jokes, comments, remarks or gestures directed at an individual.
- Physical contact or intimidation against an individual;
- Teasing, tricks, gossip, workplace slights;
- Display of pictures, posters, graffiti, objects, or other materials; or,
- Other conduct intended to harass, intimidate, or retaliate against an individual or group based on protected characteristics.

Complaints of harassment should be made under the Complaint Procedures in Part I 28.6.

29.4 Reasonable Accommodation Because of Religion

Under Title VII, the prohibition on discrimination based upon religion includes the obligation to make reasonable accommodations for religious beliefs or practices unless the accommodation would impose an undue hardship. The definition of "undue hardship" for religious accommodations is imposing a more than a *de minimus* burden on the Employer, program, or others.

Apprentices who believe they need a modification or adjustment of any JATC Rules and Policies or other aspects of the apprenticeship because of their religious practices and beliefs should make

the request in writing to the EEO/AA Coordinator. If the request involves on-the-job training or an Employer, the request must also be made to that Employer. In some cases, documentation may be needed. Certain requests may require review and approval by the JATC. The ability to accommodate absences from mandatory classes may be limited by the JATC's absence policy and the availability of make-up classes.

29.5 Retaliation Prohibited

The JATC will not tolerate any form of intimidation, coercion, threats, adverse actions, or other forms of retaliation against an applicant or apprentice who has: (i) made an internal or external complaint of discrimination or harassment on the basis of protected characteristics or other alleged violation of this EEO/AAP or applicable federal, state, or local equal opportunity law, or otherwise opposed any unlawful discriminatory practices; (ii) furnished information to, or assisted or participated in any manner, in any investigation, compliance review, proceeding, or hearing under these policies or under any federal, state, or local equal opportunity law; or, (iii) otherwise exercised any rights and privileges under this EEO/AA Plan, 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan or any federal, state, or local equal opportunity law. These are collectively "protected activities".

All persons contacted in the course of an investigation will be advised that they and other individuals involved in a complaint are entitled to be treated in a professional and respectful manner, and that any retaliation or reprisal against an individual based upon protected activities is prohibited and could result in discipline up to, and including, termination of employment or discharge from the program.

Complaints of retaliation should be made under the Complaint Procedures in Part I 28.6.

29.6 Employer Responsibilities

Employers who provide on-the-job training to apprentices in this program are expected to work cooperatively with the JATC on EEO matters and this EEO/AA Plan. IBEW-NECA apprenticeship programs have always worked cooperatively with contractors and the Local Union to prevent and address discrimination and harassment of apprentices on the job. DOL and the Registration Agency regulations under 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan impose obligations on JATCs concerning on-the-job discrimination and harassment. The JATC will develop new processes, in consultation with the Local NECA Chapter and the Local Union, to address these issues.

Employers are expected to establish their own policies against discrimination, harassment, and retaliation, including procedures for the filing, investigating, and resolving of complaints. Employers should understand that under federal, state, and local anti-discrimination laws, they may be responsible for harassment of apprentices by their supervisory employees and under some circumstances, by co-workers. The failure of an Employer to take appropriate action regarding an apprentice's complaint of discrimination, harassment, or retaliation on the job may result in the contractor being denied access to apprentices in the program.

29.7 Americans with Disabilities Act Compliance

The JATC is committed to compliance with the requirements of the ADA and other laws protecting persons with disabilities. The JATC will not discriminate against qualified applicants or persons with disabilities in its application, testing, selection, or training opportunities. Reasonable accommodations will be provided unless they would impose an undue hardship or result in a fundamental alteration of the program.

The JATC is also committed to helping apprentices with disabilities in dealing with Employers that provide on-the-job training. Apprentices who believe they have been subjected to discrimination or denied reasonable accommodation by an Employer should bring the matter to the attention of the EEO/AA Coordinator.

29.8 Mentoring and Other Support for Apprentices

The JATC acknowledges DOL's and the Registration Agency's concerns that in many industries, including the construction industry, women, minorities, and individuals with disabilities have a higher drop-out or termination rate than others. The JATC recognizes that these traditionally underrepresented groups, as well as others who lack experience with unionized apprenticeship, the building trades, or the electrical construction industry; often struggle in their first year. The JATC will seek to address these concerns through the following activities:

- Tracking and monitoring retention rates for women, minorities, and individuals with disabilities, as well as those without prior experience with unionized apprenticeship, the building trades, or the electrical industry;
- Establishing pre-apprenticeship programs for underrepresented or non-traditional applicants;
- Mentoring programs involving instructors, senior apprentices, journeymen, and/or other apprentices;
- Consideration of other best practices for retention in the unionized electrical industry and building trades; and,
- Other actions described in the EEO/AA Plan, Part III.

29.9 Other Participants in JATC Programs

The JATC is committed to the principles of non-discrimination in all programs and activities of the JATC. The JATC may, consistent with DOL OA, the Registration Agency, and ERISA requirements, engage in certain activities where there are participants other than apprentices or applicants for apprenticeship. Examples may include training programs that are open to Qualified Electrical Workers, Employers and their employees involved in apprenticeship, and Pre-Apprenticeship programs. When the JATC directly conducts or oversees any such programs or activities, it will not discriminate on the basis of Protected Characteristics and follow where applicable the following provisions of this EEO/AA Plan: Part I 29.6.1 internal complaint procedures; Part II 29.1 Non-discrimination; 29.3 Harassment; 29.4 Reasonable accommodation; and 29.5 Retaliation.

Participants in these programs and activities may or may not be protected under federal or state EEO laws. Nothing in this EEO/AA Plan should be interpreted as waiving any rights of the JATC or creating any enforceable obligations not imposed by law.

30. Part III – Affirmative Action Plan

30.1 Definitions and Terminology

In developing this Affirmative Action Plan, terminology of 29 C.F.R. Part 30 and 11.2.2 EEO in Apprenticeship State Plan has been used as a guide. The use of such terms as “availability”, “utilization”, or “utilization goal”, have the terms and meanings in those regulations and the criteria used in relation to these terms are those specified in the regulations.

DOL and the Registration Agency regulations require a utilization analysis to be performed as to race, sex, ethnicity, and individuals with disabilities. This utilization analysis must be based on certain statistical comparisons, geographical areas, and sources of statistics. The JATC’s use of such data does not indicate that it agrees that the data is appropriate, that the sources of statistics are the most relevant, or that the resulting statistical comparisons are probative. This analysis should not be construed as an acknowledgement or admission on the part of the JATC that, in fact, either minorities, females, or individuals with disabilities have been or presently are being underutilized or discriminated against in any way in violation of federal, state, or local law. The utilization analysis and other statistical comparisons are intended to have no significance outside the context of the EEO/AA Plan.

30.2 Internal Review of Program Processes and Effectiveness

The JATC engages in an annual review to ensure that it is operating the apprenticeship program free from discrimination based on race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, and disability. This is a careful, thorough, and systematic review of all aspects of the apprenticeship program at the program industry and occupation level, including, but not limited to:

- Qualifications for apprenticeship
- Application and selection procedures
- Wages
- Outreach and recruitment activities
- Advancement opportunities
- Promotions
- Work assignments
- Job performance
- Rotations among all work processes of the occupation
- Disciplinary actions
- Handling of requests for reasonable accommodations
- The program’s accessibility to individuals with disabilities, including access to the use of information and communication techniques

Following this review, the JATC will include a description of its review as part of this EEO/AA Plan and identify any modifications made, or to be made, to the program as a result of its review.

A copy of the current analysis is attached as Exhibit B-1. Under revised 29 C.F.R. Part 30.9(a) and 11.2.2.14 (A) NMAC, the review and analysis must be done annually.

30.3 Targeted Outreach, Recruitment and Retention

The JATC will undertake action-oriented programs, including targeted outreach, recruitment, and retention activities, designed to correct any problem areas it may identify as a result of review of its processes in Part III, 30.1, and any finding of underutilization of minorities, women, Hispanics or Latinos, and individuals with disabilities, as a result of the analysis in Part III 30.3.

30.3.1 Specific Activities for Affirmative Action

The JATC makes a good faith effort to increase each year the recruitment, selection, and retention of individuals who are minorities, females, Hispanic or Latino, or individuals with disabilities, until its Affirmative Action goals are met. The JATC will engage in the following affirmative action activities in addition to those actions described in Parts I and II above.

30.3.1.1 Recruitment Activities

- Disseminate information to organizations serving the underutilized group regarding the nature of the apprenticeship, requirements for selection for apprenticeship, availability of apprenticeship opportunities, and the equal opportunity pledge of the JATC. These organizations may include: community-based organizations; local high schools; local community colleges; local vocational, career and technical schools; and local workforce system partners including One Stop Career Centers.
- Advertise openings for apprenticeship opportunities by publishing advertisements in appropriate media which have wide circulation in the relevant recruitment areas.
- Cooperate with local school boards and vocational education systems to develop and/or establish relationships with pre-apprenticeship programs targeting students from underutilized group to prepare them to meet the standards and criteria required to qualify for entry into apprenticeship programs.
- Establish linkage agreements or partnerships enlisting the assistance and support of pre-apprenticeship programs, community-based organizations, advocacy organizations, or other appropriate organizations, in recruiting qualified individuals for apprenticeship.
- Participate in electrical training ALLIANCE, DOL Office of Apprenticeship and/or the Registration Agency workshops and seminars to learn and discuss more about the need, ways and means of promoting and advertising for apprenticeship, and recruiting and retaining minorities, females, ethnically diverse individuals, and individuals with disabilities.
- Dedicate staff time for EEO/AA compliance (Note: Describe, e.g., new full-time position; make this a percentage of the job of a designated individual or title.).
- Develop and annual update of a list of current recruitment sources that will generate referrals from all demographic groups within the relevant recruitment area.
- Relevant recruitment sources may include:
 - Vocational, career, and technical schools;
 - Pre-apprenticeship programs;

- Federally funded, youth-job training programs such as YouthBuild and Job Corps or their successors;
- Community based organizations; or
- Community based colleges;
- Identification of contact persons, mailing addresses, telephone numbers, and email addresses for all recruitment sources.
- Provide recruitment sources with advance notice of at least 30 days, of apprenticeship openings so that they can notify and refer candidates. Such notification will include a copy of the Equal Opportunity Pledge.
- Include in its list of referral sources groups within the JATC's jurisdictional area whose membership is focused on minorities, females, Hispanics or Latinos, and individuals with disabilities. Notify those groups when applications for apprenticeship are available.
- Contact and seek to build position relationships with groups established or the purpose of assisting and preparing minorities, females, Hispanics or Latinos, and individuals with disabilities for careers.
- Make all participating Employers and Local Union Members aware of the need to recruit qualified applicants who are minorities, females, Hispanic or Latino, or have disabilities, and encouraging them to refer any potential candidates to the JATC.
- Notice of Apprenticeship Opportunities and other application information will be disseminated in the media that is most likely to reach the minority, female, ethnic, and disabled communities, and will include information concerning the nature of apprenticeship, requirements for admission, availability of apprenticeship opportunities, sources of applications, and the JATC's EEO/AA Plan. The availability of trust funds and the effectiveness of such media advertising will be included in the annual review.
- Develop a social media campaign as part of the JATC's outreach.
- Participate in local secondary and post-secondary school programs and communicate with local Guidance Counselors and Placement Coordinators to make apprenticeship opportunities known, with emphasis on the need for minority, female, ethnically diverse, and disable applicants who meet the minimum qualifications. The JATC will also provide written notice of apprenticeship opportunities to all secondary and post-secondary schools within the sponsor's jurisdiction.
- Sponsor outreach information activities with area guidance counselors, identifying requirements for entrance into apprenticeship and successful completion and/or program.
- Post public announcements of the Apprenticeship Opportunity in commercial establishments and public facilities normally frequented by minorities and/or females.

30.3.1.2 Preparation of Potential Applicants

- Identify those individuals who meet all minimum requirements except for the mathematics component and develop options or strategies to assist them in meeting this requirement. (If the applicant's original application response time has expired, she/he will need to reapply.)

- The JATC will create or identify partnerships with pre-apprenticeship programs designed for or having significant participation by underrepresented groups. Depending upon the curriculum in that program, individuals successfully completing those programs will be offered direct interview or direct entry, subject to other requirements in the Standards and Selection Procedures.
- The JATC will create or identify partnerships with programs designed for or having significant participation by underrepresented groups that provide curriculum similar to the Apprentice Program First Year curriculum. Individuals successfully completing those programs will be offered direct interview or direct entry, and advanced standing, subject to other requirements in the Standards and Selection Procedures.
- The JATC will publicize to all referral sources, especially to those whose membership is focused on minorities, females, Hispanics or Latinos, and individuals with disabilities, the availability of any “hybrid” options of selection or to gain relevant job experience through the CW/CE classifications.

30.3.1.3 Equal Opportunity Awareness

- Conduct annual informational classes or similar training for all apprentices, clearly and concisely explaining the JATC’s Rules and Policies, including Equal Opportunity policies and Complaint Procedure.
- Internally communicate its Equal Opportunity Policy in such a manner as to foster understanding, acceptance, and support among the sponsoring parties’ various officers, supervisors, employees, and members and to encourage such persons to take the necessary action to aid the JATC in meeting its obligation in this area.

30.3.1.4 Mentoring and Retention Activities

- Inform all classroom instructors to promptly report to the JATC any major signs of weakness in study habits or any detectable learning deficiencies, and identify strategies, assistance or referrals that can be offered to those apprentices.
- The JATC recognizes that some selected applicants have been away from any formal education for some time, resulting in weakened study habits and math skills. The JATC will refer to programs to better prepare them for their related studies in the apprenticeship program.
- Establish a committee of minority members who have reached Qualified Electrical Worker status (when Qualified Electrical Workers are available and willing to serve in such a capacity) for the purpose of recruiting more qualified minority applicants and to aid in the retention of minority apprentices. This special committee will be appointed by, and serve at the pleasure of, the JATC.
- Establish a committee of female members who have reached Qualified Electrical Worker status (when Qualified Electrical Workers are available and willing to serve in such a capacity) for the purpose of recruiting more qualified female applicants and to aid in the retention of female apprentices. This special committee will be appointed by, and serve at the pleasure of, the JATC.
- Establish a committee of ethnically diverse members who have reached Qualified Electrical Worker status (when Qualified Electrical Workers are available and willing to serve in such a capacity) for the purpose of recruiting more qualified ethnically

diverse applicants and to aid in the retention of ethnically diverse apprentices. This special committee will be appointed by, and serve at the pleasure of, the JATC.

- Establish a committee of members with disabilities who have reached Qualified Electrical Worker status (when Qualified Electrical Workers are available and willing to serve in such a capacity) for the purpose of recruiting more qualified individuals with disabilities as applicants and to aid in the retention of apprentices with disabilities. This special committee will be appointed by, and serve at the pleasure of, the JATC.
- Conduct exit interviews with individuals leaving the apprenticeship program in an effort to identify reasons for dissatisfaction and meaningful efforts designed to improve retention.
- Offer special classes for the purpose of tutoring apprentices.

30.4 Utilization Analysis for Race, Sex and Ethnicity

As part of its EEO/AA Plan, the JATC will perform a utilization analysis of the racial, sex, and ethnic composition of its apprenticeship program workforce by determining whether the race, sex, and ethnicity of apprentices reflects persons available for apprenticeship by race, sex, and ethnicity in the relevant recruitment area. The purpose of the utilization analysis is to provide a method for assessing whether possible barriers to apprenticeship exist for particular groups of individuals. Where significant disparity exists between availability in the relevant recruitment area and representation in the apprenticeship program, a utilization goal will be established. This evaluation will be performed on an annual basis pursuant to 29 C.F.R. 30.9 and 11.2.2.14 NMAC.

The utilization analysis consists of several steps, including an analysis of the apprenticeship program workforce, an analysis of the availability of qualified individuals in the relevant recruitment areas, a determination of the rate of utilization, and a determination of whether any utilization goals must be established.

30.4.1 Apprenticeship Program Workforce Analysis

The JATC will analyze the racial, sex, and ethnic composition of the apprenticeship program workforce. This entails grouping all occupational titles represented in the program by industry, and then identifying the race, sex, and ethnicity of the apprentices within each of the industry designations.

30.4.2 Apprentice Availability Analysis

Once the apprenticeship program workforce has been analyzed, the JATC will perform an availability analysis to establish a benchmark against which the demographic composition of the apprenticeship program can be compared as part of determining whether barriers to equal opportunity exist. “Availability” is an estimate of the number of qualified individuals available for apprenticeship by race, sex, and ethnicity expressed as a percentage of all qualified persons available for apprenticeship in the JATC’s relevant recruitment area.

To determine availability, the JATC considers the percentage of individuals available with the current or potential capacity for apprenticeship in the JATC’s relevant recruitment area broken down by race, sex, and ethnicity. Statistical information is used to derive availability figures. The JATC will typically use statistical information from census data, unless other sources have been approved by the Registration Agency.

The “relevant recruitment area” is the geographical area from the JATC usually seeks or reasonably could seek apprentices. This JATC’s recruitment area is the jurisdiction of IBEW Local Union 611.

30.4.3 Utilization Rate

Based on the apprenticeship program workforce analysis and the availability analysis, the JATC will measure whether utilization in its program of women, Hispanics or Latinos, or any race (Black/African American, Asian, American Indian or Alaska Native, Native Hawaiian and Other Pacific Islander, and White) is less than what would reasonably be expected given the availability of such individuals for apprenticeship in the reasonable recruitment area.

30.4.4 Establishing Utilization Goals for Race, Sex and Ethnicity

If there is a disparity in the utilization rates versus the availability rates, the JATC will establish a utilization goal for any “underutilized” group. No goals are required if there is no significant disparity (at least two standard deviations) between the availability and utilization rates. If the JATC sets a goal for a particular group, the percentage goal established will be at least equal to the availability figure for that group. The determination that a goal is required in neither a finding nor an admission of discrimination; rather, utilization goals serve as objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work. Utilization goals are used to measure the effectiveness of the JATC’s outreach, recruitment, and retention efforts.

In establishing utilization goals, the JATC applies the following principles:

- Utilization goals are not rigid and inflexible quotas, which must be met.
- Utilization goals are neither a ceiling nor a floor for selection of particular groups as apprentices.
- Utilizations goals do not require or provide the JATC with a justification to extend a preference to any individual, select an individual, or adversely, affect an individual’s status as an apprentice, on the basis of that person’s race, sex, or ethnicity.
- Utilization goals do not create set-asides for specific groups.
- Utilization goals are not intended to achieve proportional representation or equal results.
- Utilization goals are intended to assist with identifying the existence of barriers to equal opportunity.
- Utilization goals may not be used to supersede eligibility requirements for apprenticeship.
- JATCs are not required to select a person who lacks qualifications to participate in the apprenticeship program successfully.
- JATCs are not required to select a less-qualified person in preference for a more qualified one.

30.4.5 Current Utilization Goal

The JATC will maintain records and worksheets used during this analysis. The JATC's review and determination of the steps to take to meet those goals are included in its analysis (Exhibit B-2). The results of the most recent utilization analysis and goals are also contained in Exhibit B-2.

30.5 Utilization Analysis for Individuals with Disabilities

The JATC will conduct a similar analysis of its apprenticeship program for representation of Individuals with Disabilities (IWDs) in each occupational title by individual industry and then identify the number of apprentices with disabilities in each title.

DOL has set a currently utilization goal of 7% for qualified IWDs. The JATC will use 7% as its goal for IWD representation in each occupational title in its apprenticeship program until that goal is changed by DOL. If the percentage of IWDs in an occupational title is less than 7%, the Title will be considered under-utilized as to IWDs and a goal of 7% will be set.

The results of the most recent utilization analysis and goals for individuals with disabilities are contained in Exhibit B-1. The JATC will maintain all records and worksheets used during the analysis. The JATC's review and determination of the steps to take to meet those goals are included in its analysis (Exhibit B-1). This evaluation will be performed on an annual basis pursuant to 29 C.F.R. 30.9 and 11.2.2.14 NMAC.