

HAWAII STATE APPRENTICESHIP COUNCIL MEETING

Department of Labor and Industrial Relations

830 Punchbowl Street, Room 310

Honolulu, HI 96813

Wednesday, August 27, 2025

9:00 am – 12:00 pm

In-Person and By Video Conference

Physical Meeting

A physical meeting location will be open to the public and will have an audiovisual connection, which will allow individuals at the physical meeting location to participate in the remote meeting. The address of the physical meeting location is 830 Punchbowl Street, Room 310, Honolulu, HI 96813

Meeting materials are available for review at the Workforce Development Division, 830 Punchbowl Street, Room 329, Honolulu, HI 96813.

Remote Meeting:

This meeting will be held remotely by Zoom interactive conference technology. State Apprenticeship Council (SAC) members, staff, and members of the public may participate in the remote meeting by using the following Zoom link: (Click on link below or copy and paste into web browser)

Join Zoom Meeting

<https://us02web.zoom.us/j/88347009115?pwd=FsLF6pjefKBKNi8HmMb0ZPu1eonDiY.1>

Meeting ID: 883 4700 9115

Passcode: 130733

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One tap mobile

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Join instructions

<https://us02web.zoom.us/join/88347009115/invitations?signature=-cYe7InBodbd3uJirztq-kZ5pftojGyqzYQqWoAArtM>

Written and Oral Testimony

Individuals may submit written testimony by U.S. mail or hand delivery at Workforce Development Division at 830 Punchbowl Street, Room 329, Honolulu, HI 96813 or by email at dlir.workforce.develop@hawaii.gov.

To ensure that members are able to review testimony prior to the meeting, we encourage interested persons to submit written testimony by 24 hours prior to the meeting. Any written testimony will be

retained as part of the record and distributed to members as soon as practicable, but we cannot ensure members will receive it in sufficient time to review prior to any decision-making.

Individuals may provide remote oral testimony during the remote meeting at the Zoom link listed above. Individuals participating at the physical meeting location may also provide oral testimony during the remote meeting.

AGENDA

- I. Call to Order Gregg Serikaku, SAC Chair
- II. Roll Call of State Apprenticeship Council (SAC) Members Gregg Serikaku, SAC Chair
- III. Acknowledgement/Introduction of Attendees
- IV. Message Jade Butay, DLIR Director
- V. Approval of Minutes of June 10, 2025, SAC Meeting
- IV. Reports/Updates
 - A. State Apprenticeship Council
 - None
 - B. Workforce Development Division - WDD Staff
 - Apprentice Statistical Data Report – October 1, 2024 to June 30, 2025.
 - State Apprenticeship Expansion Grant Base Formula Funding Round 3.
 -
 - C. USDOL Office of Apprenticeship – Ms. Corinna Pereira, Multi-State Navigator.
 - Region 6 Quarterly Report FY Quarter- 4 2025.
- V. New Business
 - A. Review and Recommendation on the following:
 - 1. Revised Standards of Apprenticeship for Hawaiian Electric Company Apprenticeship Program.

2. Revised Standards of Apprenticeship for Hawaii Electric Light Company Apprenticeship Program.
3. Revised Standards of Apprenticeship for Maui Electric Light Company Apprenticeship Program.

B. Revisions to the Standards of Apprenticeship for Painter, Floor Layer, Glazier, and Taper Apprenticeship Programs of International Union for Painters and Allied Trades District Council 50. The Revisions Added Pre-Apprenticeship Provisions Under the Following:

- Section 15, Granting of Credit.
- Selection Procedures – Appendix B.

VI. Unfinished Business

1. Review and Recommendation on the High Regard Arborist Apprenticeship Program.
2. Policy and Procedures for Safety Reports.

VII. Announcements

At this time, the public is welcome to announce upcoming events and comment on relevant issues that are not included in this meeting's agenda. In compliance with Sunshine Law, the Council cannot discuss or act on issues that were not included meeting's agenda, but issues raised in constituent comments may be included in a future agenda for the Council's consideration.

VIII. Next meeting

The next SAC quarterly meeting will be on December 9, 2025, 9:00 am to 12:00 pm virtually or in person. The venue of the in-person meeting will be provided in the agenda.

IX. Adjournment

The time of adjournment will be announced at the end of the meeting.

Equal Opportunity Employer/Program

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Aaron Seet at (808) 586-8877 or dlir.workforce.develop@hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessable formats.

MINUTES OF SAC MEETING
ON
JUNE 10, 2025

HAWAII STATE APPRENTICESHIP COUNCIL MEETING

Department of Labor and Industrial Relations
830 Punchbowl Street, Room 310
Honolulu, HI 96813

Minutes from June 10, 2025 Meeting

Held In-Person and Virtually on Zoom

SAC Members Present:

Employer Representatives

Gregg Serikaku (In-person)
Cristina Vocalan (In-person)
Keian Shon (In-person)
James Hardway (Virtual)
Constance Emory-Khenmy (Virtual) Representing Seunghye Hong

Employee Representatives

Rick Subiono (In-person)
Robert Aquino (In-person)
Travis Murakami (Virtual)
Kika Bukoski (Virtual) Representing Patrick Sullivan

Public Representative

Ellen May (In-person)

SAC Members Absent/Excused:

Melodie Vega – Employer Representative
Caroline Soga – Public Representative

Public Attendees (In-person):

Ikaika Naehu-Freitas – Roofers Local
Jarred Santos – IBEW Local 1186
Jon Perry – High Regard
Leyton Torda – IBEW Local 1186
Mark Pongsareth – IBEW Local 1186

Public Attendees (Virtual)

Corinna Pereira – Multi-State Navigator, USDOL Office of Apprenticeship
Erica Johnson – Regional Director, USDOL Region 6

Holly Alvarez – Heat and Frost Insulators & Allied Worker Local 132
Ranae Keane – Hawaii Rural Water Association
Darrell Seto – Hawaii Carpenters Apprenticeship Training

DLIR/WDD Staff Attendees:

In-person:

Jade Butay	Director, DLIR
William Kunstman	Deputy Director, DLIR
Maricar Pilotin-Freitas	Administrator, WDD
Leila Shar	Acting Program Officer, WDD
Edgar Fernandez	Program Specialist, WDD
Jaimee Tabangay	Program Specialist, WDD
Carol Kanayama	Program Specialist

I. Call to Order

SAC Chair Gregg Serikaku called the meeting to order at 9:03 am. He informed the body that he received the letters from SAC members Patrick Sullivan and Seunghye Hong requesting they be excused and authorizing their representatives to attend the meeting on their behalf. Mr. Sullivan was represented by Kika Bukoski and Ms. Hong was represented by Constance Emory-Khenmy.

Chair Serikaku conducted a roll call of the members. Ten (10) members were present: six (6) members attended in-person, and four (4) remotely.

II. Welcome and Introductions

- Dir. Jade Butay welcomed the SAC members and the public who were in attendance. He expressed his gratitude for the unwavering commitment and dedication of the SAC members on the apprenticeship program which contributes to the State's economic development and well-being by creating the much needed and skilled workforce. He stressed that Apprenticeship is a shared responsibility and a team effort which cannot be fulfilled without support, collaboration, and partnership.
- Maricar Pilotin-Freitas introduced herself and acknowledged and introduced Bill Kunstman, Deputy Director of DLIR.
- Other WDD staff and members of the public who were attending in person and remotely introduced themselves.

III. Approval of Minutes

There were no questions or corrections to the minutes as presented.

Chair Serikaku conducted a roll call vote on the motion to approve the minutes. The SAC members unanimously approved the minutes of the March 11, 2025, SAC meeting.

IV. Reports/Updates

A. Workforce Development Division Report

Ms. Maricar Pilotin-Freitas shared the following report/updates:

- There was an increase in the number of registered apprentices from the previous quarter and although it is small, we are still making gains and increasing the number of apprentices in the state. Hopefully, the number of apprentices will increase to 5,400 by the next meeting.
- Based on the SAC's recommendation, the Director approved the permanent 2 apprentices to 1 journeyworker ratio for Ironworker Apprenticeship Programs. The Director also approved the extension of the 2 apprentices to 1 journeyworker ratio for Sheet Metal Worker Apprenticeship Program up to March 2, 2030.
- WDD/DLIR received a grant from USDOL to expand registered apprenticeship in alignment with the President's vision to expand apprenticeship. Part of the grant was used to purchase 22 virtual reality headsets which are now available in the American Job Center of each county. The virtual reality exploration will help to expand apprenticeship to current trades and non-construction trades as well. Every county via the American Job Center has virtual reality headsets to provide jobseekers the ability to explore careers.

The virtual reality equipment is available at the WDD office and invited the members and the public to try it for themselves.

- Referred the SAC members to the USDOL Office of Apprenticeship Circular and Maryland Ratio Subcommittee Revised Guidance regarding ratio. She enjoined the members to review the documents which the SAC can use as a guide to adopt similar guidelines for reviewing programs/standards.

V. New Business

Chair Serikaku reminded the SAC members who wants to recuse in the discussion to inform him of their recusal prior to the discussions.

A. Review and Recommendation on the High Regard Arborist Apprenticeship Program

Jon Perry, CEO of High Regard introduced himself and shared his background as Arborist and graduate of UH Manoa. He's been in the industry for 20 years and was an arborist for the City and County of Honolulu, and after he left, started his own company in 2012.

Highlights of the presentation and discussion on the proposed program include the following:

- Mr. Perry shared that the Arborist Apprenticeship Program is hybrid which consists of 6,000 hours of on-the-job training (approximately 3 years) and 440 hours of related instruction. The program includes skills component that is built into the related instruction. The related instruction is based on the Tree Care Industry Association (TCIA) curriculum, which is used in 5 states in the mainland, mostly private companies. He added that he adjusted the curriculum to make it applicable to what they are doing here. TCIA is very much involved with the ANSI (American National Standards Institute) board and the modules perfectly align with the industry standards. The TCIA course curriculum is broken down into modules where each module will address a particular area of skill and understanding. Related instruction is self-directed and not in a classroom doing the modules. Apprentices will be using the digital format of the curriculum that they can access using their phones, tablets, or computers.

Mr. Perry explained that the program consists of on-the-job learning experience, related instruction, and skills competency. The significant component of the program is the skills check off where the apprentice must perform and show skills attainment to be qualified to do what the company is doing. Apprentices will not advance to the next step unless they complete the on-the-job hours in the field and related instruction. Hours completed will be tracked internally by their HR (Human Resources) staff. Apprentices will be taught and trained in the field on how the work is done. The skills check off list will be used to assess skills attainment where the apprentice must show/demonstrate that they have the skills and perform the work safely and properly. Such skills will be checked off and signed by the sponsor once the apprentice can perform/show skills competency.

Related instruction is self-directed and not on a classroom structure doing the modules.

At this juncture, the binders containing the TCIA course curriculum were brought in and displayed at the meeting. WDD staff shared that the course curriculum was reviewed and recommended for approval by Honolulu Community College.

- SAC member Ellen May asked if somebody in the landscaping trade comes in with hours or certifications already if they will start at ground 0 or if that is something on the landscape side. Mr. Perry explained that in his view, the landscape industry and tree care industry are different in many ways. The landscape trade is 12 feet under while the tree care trade is working at heights of 12 feet to 150 feet. On the insurance side, the rate is something to consider when they go over 12 feet where the risk is elevated. The training requirements and knowledge/background working with trees is different from working with ornamental shrubs, small plants, and turf grass. Landscape and tree care industry are actually different areas so somebody coming into the industry that is not trained to be working at heights over 12 feet needs to go through the course materials.

Ms. May also asked Mr. Perry to talk about their pipeline in relation to their goal in the analysis worksheet of 4 apprentices per year and how is that scalable. Mr. Perry explained that a component of their program is to have sustainable, reliable, and safe growth. Some methods that the company uses to promote the program in terms of recruiting includes using Craigslist like channels, marketing campaigns, and advertisement through social media. The goal is to get the best people who are not only qualified but the most qualified who have a certain physical aptitude as a baseline. He wants to bring people who do not have any experience in the tree care industry and start them from 0. They will take people in depending on their background and values, which should not be hard to find.

- SAC member Robert Aquino commented that there seems to be a confusion on the age requirement where in certain areas it states 16. He also asked for clarification on demotion that's stated in the standards. Mr. Perry clarified that the age requirement will be 18 years or over.

Regarding demotion, he explained that they do not want to qualify or move people through the program and get the wage if they are not showing the correct skill set, competency and understanding in the field in relation to performance and safety. The wage is tied to experience and skill set qualification and don't want to keep people at a certain level if they are not actually showing competency.

As follow-up, Chair Serikaku asked Mr. Perry to clarify what he was saying regarding the wage progression that the apprentice who made the on-the-job (OJL) learning hours and related training instruction (RTI) hours may not make the higher wage because the evaluation of the employer shows that the apprentice is not really qualified. Chair Serikaku mentioned that based on the wage schedule, an apprentice who completes 5,500 OJL hours and 420 hours of RTI puts the wage rate at 87% of journeyworker rate and the employer does not have the option to hold paying the higher rate until the apprentice is qualified. He added that based on his experience and speaking for their program, when the apprentice makes the requirements for that step, the employer doesn't have the option to not pay the higher rate because the apprentice technically do not have, or they are not good as they should be. The employer who is doing the evaluation may have different interests on advancing a person to the higher wage level and will not follow the wage schedule. This could be a potential complaint with the Department of Labor.

Mr. Perry explained that part of the reason is that they don't want to hamstring managing the employees. In terms of passing the OJL and RTI hours, the apprentices should be at the corresponding wage step/level, but there are employees in the field whose work practices are not in line with what they (company) are doing, and sometimes employees don't take their work seriously. He said that they don't want that they are not able to manage the wage side as there should be an enforcement level. The goal is to scale people safely. The risks in the industry are so high and if he is fast tracking them, he is also liable for the level of proficiency that they have in the field. He wants some flexibility for management.

Chair Serikaku suggested that the wage schedule matrix should have column for skills set so that even if the apprentice accomplished the OJL and RTI hours, the apprentice would not advance to the next level/step until the skills/competencies are attained and checked off.

- SAC member Rick Subiono asked about safety harness used by the industry. Mr. Perry explained that they use 2 types of safety harnesses. The body fall arrest harness is used when operating dynamic loads so the individual who falls out lands on the harness. The work positioning harness holds the person in the tree to prevent falling.
- Regarding the safety measures when working around power lines, Mr. Perry clarified that the Arborist Apprenticeship Program will not touch the utility side

of the industry which is regulated. He explained that the industry has minimum approach distances, depending on the distance of the individual from the utility conductors. For electric power lines, the minimum approach distance is 10 feet of any part of the tree or branch. For Arborists, this means that their crew cannot go or move inside a 10 feet circumference of the energized line.

- Mr. Robert Aquino asked for clarification on the complaint procedure section which mentions a private review body, and if there is a procedure already set up. Mr. Perry replied that the section is designed to provide a format to formally make a complaint about the program, whether it pertains to the skills process, training gaps, or even demotion. TCIA provides resources and has several staff members that are points of contact and could help with the process. Mr. Perry added that they have employee guidelines and HR policies and practice of the company that will be used for the program.

Mr. Aquino asked a follow-up question if the grievance procedure can be shared to which Mr. Perry replied yes.

- SAC member Mr. Keian Shon asked what metrics will be used to evaluate if the program decides to change the 1 apprentice to 1 journeyworker ratio to 2 apprentices to 1 journeyworker. Mr. Perry explained that it's a new program and conservatively using a 1:1 ratio. However, they also do not want to totally bottleneck any scaling or growth and put that statement that they may increase the ratio if they can maintain the level of competency and quality of the program.
- Regarding the module on emergency response, Mr. Perry explained that it is basically their process for handling emergencies whether it's responding to down trees situations if there is a storm or an accident on roadway. He shared that there is an aerial rescue component and training on how to remove somebody either from a tree or from a lower unit.
- SAC member Mr. Travis Murakami asked if there is a First Aid/CPR component. Mr. Perry replied that their company use pro service to get the first aid/CPR training of their employees. Their company is required by OSHA standards to have training for people on the job sites. and they have to keep everybody updated on their training. The training is not necessarily through the apprenticeship program, but employees usually get the training within the first three (3) months of hire.
- Chair Serikaku asked if based on their current workforce, and if the program is approved, will the apprentices be placed on various steps and who will be

considered journeyworkers. Mr. Perry explained that currently they have 10 employees, and 2 of them have 20 years of experience. He worked with them for a very long time and he knows their level of skill and qualifications. Their intention is to put these 2 employees to journeyworker status/position. Other existing employees will be credited a certain percentage based on the number of hours and experience. They however will have to through the related instruction component of the program. The credit hours will not be based on 1:1 which means that if they worked 4 years, they will be given/credited 4 years of on-the-job hours.

- Chair Serikaku commented that based on the 1:1 ratio, if 20% of the workforce will become journeyman because they have sufficient experience, how many of them will be designated journeyworkers. Mr. Perry explained that this will be based on evaluating his employees who have been with the company for several years. However, this does not mean he will just dump anybody who got 3 years and just let them catch on the related training instruction requirements. He added that he is trying to work out on the ratio (for crediting hours) because he does not want to just dump everyone in but at the same time create a bottleneck and it's kind of finding a balance between.
- Ms. Ellen May suggested that he could possibly look at making it competitive and using a skills checklist. Mr. Perry replied that is his inclination because they're always short staff and need more people. It is always a labor issue in terms of suppling qualified people in the field. He is probably leaning on giving more credit than less but not one to one.

WDD staff Mr. Edgar Fernandez mentioned that the 2:1 ratio statement in the standards was discussed during the meetings with Mr. Perry but what is submitted in the standards for review and recommendation by the SAC is 1:1. If ever they change the ratio, this will go through the review and recommendation process by the SAC.

Mr. Perry asked if as owner, he qualifies as a journeyworker to which the SAC members replied that he would qualify as a journeyworker but he has to be on the job site with the apprentices working as such.

- Kika Bukoski asked if the program is for the company only or make it an industry standard. Mr. Perry replied that the program that was developed with the assistance of TCIA, is for their private company only. He shared that he talked to a lot of people about opening the program to other companies but there were issues that popped up including liability issues that may arise.

- Ms. Emory-Khenmy asked if Mr. Perry has an idea on the maximum number of on-the-job learning hours that he will credit towards the term of apprenticeship for prior experience. She also asked how records of previous on-the-job learning. Mr. Perry replied for existing employees, they are still trying to work out the appropriate ratio on how much will be credited but it will not be a 1 hour of prior experience to 1 hours of credit. They may consider following the same framework of big utility contractors in terms of qualifying prior experience for both existing employees and those coming from a different company. However, credit hours will probably be more in the high end for existing employees.

Regarding getting records of prior experience, Mr. Perry explained that they will send out letters to previous employers and have them list the experience that the employee did that will be used to evaluate the credit hours.

Ms. Pilotin-Freitas asked for clarification on the wage schedule in relation to credited hours. She cited as example that in the table for wage progression, if she was credited 1,000 hours of on-the-job learning and 80 hours of related instruction, she will get paid \$26.00 per hour. After working in the field, Mr. Perry determined she was high risk liability and demote her to \$24.00 per hour. She thinks that is a concern because once the level of pay of the apprentice is determined, the apprentice cannot be demoted because they are deemed high risk a liability, and it becomes subjective and no longer in accordance with the approved wage progression.

Mr. Shon suggested a statement be added in the wage progression that the apprentice will earn the wage appropriate to the OJL and related instruction hours and will continue at that rate until the next evaluation. He agreed that it becomes subjective for the employer to say that the apprentice who has been in the program for a year or 2 years yet don't have the skills and remain at \$28.00.

Mr. Perry presented a scenario where the apprentice completed is done with the hours (OJL and RTI) but for one reason or another, he (Mr. Perry) is not signing the skills component because they cannot pass the competency. He then asked if this can be a potential source of complaint with the Department of Labor for the apprentices to say they are prejudiced and not going through the wage progression. Ms. Pilotin-Freitas replied that he has the booklet (training manual) to follow and to review whether the apprentice is progressing before checking off competencies in accordance with the training plan.

Ms. Ellen May commented that the wage schedule matrix should include a skills

set column so that even if the apprentice had the hours, he (Mr. Perry) doesn't have to progress them until that skill set is met/satisfied. Mr. Perry replied that the skill set is rolled in the RTI where the apprentice cannot pass the RTI credit without the skills portion. Mr. Perry said that he is okay keeping the apprentice at the wage level, but the apprentice still has to do the training skills. He said that he just doesn't want to fast track and never have any control on whether the apprentice attains the skill. Ms. May shared that the best way to avoid that is to really tighten up the oversight. Chair Serikaku agreed that if the skill and RTI are tied in together, then skill set should be provided in the wage progression.

Chair Serikaku and other SAC members mentioned that there are missing elements and other issues/concerns pertaining to the proposed program that need to be addressed/clarified including ratio, wage progression, competencies and complaint procedures. Mr. Perry replied that he can provide the information and asked the SAC members to be specific on that they need.

Ms. Pilotin-Freitas explained the process/next steps that will be followed. The SAC members will submit to WDD their issues/concerns regarding the program/standards which will be provided to Mr. Perry for appropriate action. Once the documents are received by WDD, these will be provided to the members and get their feedback and call for a meeting. At that point, the SAC can ask further questions or recommend for approval or disapproval of the proposed program.

Mr. Fernandez mentioned that a special meeting could be held earlier than the next quarterly meeting of the SAC.

Ms. May moved to defer taking any recommendation on the proposed Arborist Apprenticeship Program pending further discussions and review on the standards of apprenticeship for the program. Mr. Subiono seconded the motion.

The members voted as follows:

Ellen May	Yes
Rick Subiono	Yes
Robert Aquino	Yes
James Hardway	Yes
Constance Emory-Khenmy	Yes
Travis Murakami	Yes
Kika Bukoski	Yes
Keian Shon	Yes
Cristina Vocalan	Yes

Gregg Serikaku	Yes
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The members approved the motion to defer recommendation on the proposed Arborist Apprenticeship Program.

VI. Unfinished Business

- a. The Council will continue discussions on State Apprenticeship Program Bulletin No. 01-11, Re: Policy and Procedures for Safety Reports.

Mr. Fernandez provided a recap of the discussions on the bulletin and safety report. Issue/concerns discussed include the following:

1. Baseline and annual safety reports in relation to requests for change of ratio.
2. The current safety report form does not provide information on the number of apprentices affected by the accident/injury.
3. The bulletin does not provide guidelines on what are considered reportable accidents/injuries that should be included in the safety report. There was a recommendation to follow the OSHA guidelines.
4. There is no guideline on constitutes a reasonable number of employers who will be covered by the safety report.
5. What is considered as high incidence of accidents/injuries.

Mr. Fernandez mentioned that WDD prepared a draft of the revised safety report for review/comments of the SAC. The revised form includes a column to indicate the number of apprentices affected by the accident/injury. The number of apprentices working was changed to number of apprentices working at the time of the accident/injury for clarity.

He asked the members to review the USDOL Circular No. 2021-02 and Maryland Ratio Subcommittee Revised Guidance that can be used to formulate/ revise policies and guide the members in reviewing ratio.

Ms. Hardway commented that the bulletin mentions the baseline report which is submitted by the sponsor requesting to change of ratio. The baseline safety report pertains to accident/injuries that occurred under the current ratio and the year prior to the request for change of ratio. However, the 2 requests for change of ratio previously reviewed and recommended for approval by the SAC, the safety reports that came from different employers showed data for 5 years instead of 12 months prior to the request. Also, annual safety reports were not presented and he does not know how these reports are being tracked.

Mr. Fernandez explained that the baseline report was really intended to present accidents/injuries based on the 1:1 ratio or prevailing ratio. When sponsors requests for expanded ratio from 1:1 to 2 apprentices to 1 journeyworker. they were required to submit a baseline safety report for the 1:1 ratio. If the baseline safety report shows a high incident of accidents/injuries, that would have been the basis for the SAC to recommend for disapproval of the expanded ratio. However, back in 2011, the 1:1 baseline safety report that were received in relation to requests for expanded 2:1 ratio showed zero or low number of accidents/injuries which was the reason for the SAC to recommend approval or the 2:1 ratio. Requests for extension of the expanded ratio are supported by annual safety reports based on the 2:1 ratio that was approved. However, once the expanded ratio (2:1) was approved as permanent, the sponsor was no longer required to submit the annual safety report.

Ms. Pilotin-Freitas commented that for purposes of transparency to the SAC and because it is supposed to be annual, the safety report should be submitted regardless of there is an increase of ratio or not. Every program is supposed to be submitting the accident report annually even if the ratio is 1:1 so that the Council can be aware of how many accidents are happening within the program and if they request for increase/expanded ratio there's a basis to make a recommendation. She added that the annual report is not just for increasing a ratio but as part of the Council's role to review all standards and accidents from all the programs.

Chair Serikaku asked if the 2 apprentices to 1 journeyworker that was approved can be bumped down to 1:1 as a result of high incident of accidents/injuries. Mr. Fernandez replied that the 2:1 ratio even if approved as permanent can be rescinded by the Director if it is determined that the 2:12 ratio is not working for safety of the apprentices. He added that the Director relies on the recommendations of the SAC.

The members agreed to continue discussions on the safety report as unfinished business. The members were asked to review the USDOL and Maryland circulars which are resources that can be used to guide the SAC in reviewing programs and ratio. The members were also asked to submit their inputs/comments on the circulars and the safety report bulletin for discussion in the next meeting.

b. Announcements

- SAC member Ellen May, Center Director of Hawaii Job Corps made a brief announcement on the status of the Job Corps program nationwide. Highlights of her announcement include the following:
 - At the very end of May, they received a notice from the National Office that they were closing the Job Corps program nationwide. The notice did not use the word "close"; they said "pause". By pausing the program, this means that 99

job corps centers across the country were going to be closed, including Hawaii. It was based on the recommended budget from the Trump Administration to have no funding for the job corps program in the new budget.

- It was in the announcement that they said they were going to stop the contract operated centers and keep the Forest Service Center. There are about 20 Forest Service Centers nationwide for Federal employees.
- The closure is the result of the Transparency Report that was pulled from data after Job Corps students were brought back from COVID. During COVID, all centers across the nation were required to send students home.

The Transparency Report had 2 concerns for justifying closing the program. The first concern was high cost per student. The data that was pulled for the Transparency Report was a year after the Job Corps centers were bringing the students back after the COVID-19 pandemic and would be drastically different if they pulled the numbers for current performance for cost per student. The second concern is safety. The centers are highly regulated and required to report safety incidents for everything. Including a student having an allergic reaction. A point of pride for all Job Corps centers is the zero tolerance for violence and drugs and alcohol. Hawaii Job Corps Center is ranked at the top in the nation and the news is devastating for staff and their program.

- The National Job Corps Association which has no affiliation with the National Office filed a lawsuit with a Federal judge who granted a temporary restraining order. Right now, “business is usual” normal, and the centers are continuing operations. A hearing on the injunction is scheduled on June 17. The hearing will give guidance whether the job corps centers will continue to operate or close down the centers.
- Ms. May thanked Mr. James Hardway who wrote a letter of support for members of Congress. She also acknowledged the Congressional support for the state.
- Mr. Subiono announced that the Construction Career Day in Maui is on October 24, 2025, and Hilo on November 6, 2025.
- Mr. Aquino announced the upcoming webinar on mental health scheduled on June 17, 2025.
- Chair Serikaku announced that the next quarterly meeting is scheduled on September 9, 2025.

Mr. Fernandez mentioned that a special meeting may called to further review the standards for the Arborist program or wait for the September 9, 2025 quarterly meeting.

c. Adjournment

The meeting was adjourned at 11:53 am.

IV. REPORTS/UPDATES

B. WORKFORCE DEVELOPMENT DIVISION

WORKFORCE DEVELOPMENT DIVISION REPORT

I. APPRENTICE STATISTICAL DATA

FFY 2025 (October 1, 2024 to June 30, 2025)	
STATUS	TOTAL
New Registration & Reinstatement	1039
Suspended	2
Cancelled	649
Completed	364
Active/Registered as of June 30, 2025	5375

FFY 2024 (October 1, 2023 to September 30, 2024)	
Status	Total
New Registration and Reinstatement	1611
Suspended	2
Cancelled	1081
Completed	496
Active/Registered as of 9/30/2024	5350

II. State Apprenticeship Expansion Grant Base Formula Funding Round 3

USDOL Employment Training Administration awarded WDD/DLIR the amount of \$556,981.00 under the State Apprenticeship Expansion Grant Base Formula Funding. The period of performance is July 1, 2025, to June 30, 2028.

Grant activities include the following:

- Hire staff to help build statewide capacity of WDD/DLIR as State Apprenticeship Agency and Registration Agency.
- Promotion and Expansion of Registered Apprenticeship.
- Hawaii Apprenticeship Week celebration.

IV. REPORTS/UPDATES

C. USDOL ETA, OFFICE OF APPRENTICESHIP

**U.S. Department of Labor
Employment and Training Administration
Office of Apprenticeship**

90-7th Street, Suite 17-100
San Francisco, CA 94103



QUARTERLY REPORT

FY Q-4 2025

THANK YOU FOR THE OPPORTUNITY TO BRING YOU THIS UPDATE
FROM THE UNITED STATES DEPARTMENT OF LABOR
OFFICE OF APPRENTICESHIP

RESPECTFULLY SUBMITTED BY:

Corinna Pereira

Multi-State Director
Office of Apprenticeship
United States Department of Labor



APPRENTICESHIP.GOV

RECENT POLICY GUIDANCE

Notice of Proposed Rulemaking National Apprenticeship System Enhancements

The Department issued a Notice of Proposed Rulemaking (NPRM) entitled "*Prohibiting Illegal Discrimination in Registered Apprenticeship Programs*." Please review [Bulletin 2025-120](#) for more information. The 62-day comment period started on July 2, 2025, and ends on September 2, 2025.

To be included in the public record, a public comments must be submitted through Regulations.gov at: <https://www.regulations.gov/commenton/ETA-2025-0006-0001>.

Circulars

[Circular 2025-01](#) was released on January 02, 2025. The Circular notifies all interested parties about the updated guidance regarding the eligibility of federally recognized Tribes, or any instrumentalities of the Tribes, to serve as sponsors of registered apprenticeship programs.

[Circular 2025-02](#) was released on January 17, 2025. The Circular informs all interested parties of the apprenticeship provisions in the Inflation Reduction Act of 2022 (IRA), the U.S. Department of Treasury (Treasury) and the Internal Revenue Service's (IRS) Increased Credit or Deduction Amounts for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements final rule (IRS final rule), and to provide guidance on how Registration Agency (OA and Federally-recognized SAAs) staff can support and provide technical assistance to participating employers, program sponsors, and OA and SAA staff can do to meet the IRS final rule on these provisions.

[Circular 2025-03](#) was released on June 30, 2025. The Circular informs the Office of Apprenticeship (OA) staff, State Apprenticeship Agencies (SAAs), Registered Apprenticeship program sponsors, and other Registered Apprenticeship stakeholders of the Department of Labor's (the Department's) interim policy to not enforce the Equal Employment Opportunity (EEO) in Apprenticeship regulations at 29 CFR part 30 (part 30).

Opinion Letters

The U.S. Department of Labor is committed to providing workers and businesses with the necessary tools for complying with the labor laws we enforce. As part of these efforts, we're increasing compliance assistance resources and tools like opinion letters to help the public more fully understand their rights and duties under federal law. Opinion letters are official written opinions on how a law we enforce applies to a specific workplace situation, providing practical answers to help the public understand their rights and responsibilities. They can be requested by anyone, including workers, employers, employment associations, lawyers, human resource professionals, unions and industry leaders. Generally, these letters concern matters where it is unclear how to apply existing regulations or guidance. Go to [Opinion Letters | U.S. Department of Labor](#) for more information.

APPRENTICESHIP ANNOUNCEMENTS

Published Report on Workforce Development

On August 12th, 2025, the U.S. Departments of Labor, Commerce, and Education has published a milestone report, [America's Talent Strategy: Equipping American Workers for the Golden Age](#), which presents a bold vision and concrete actions to transform the federal government's approach to workforce development. The five strategic pillars of the strategy are:

- **Demand-Driven Strategies:** Expand proven work-based learning models like Registered Apprenticeships and align education programs to career pathways in priority industries to ensure direct connections to employer needs.
- **Worker Mobility:** Bring more Americans into the labor force by identifying skills and credentials for in-demand jobs and connecting them with personalized support, including through AI-powered tools, to help them advance.
- **Integrated Systems:** Streamline federal workforce development programs to empower states, unify access points to the system for workers and businesses, and advance the President's proposal to Make America Skilled Again.
- **Accountability:** Improve transparency and accountability for federally funded workforce programs by improving mechanisms for measuring success and redirecting funding to programs that are proven to connect Americans with good-paying jobs.
- **Flexibility and Innovation:** Ensure the workforce is prepared to adapt quickly to an AI-driven economy by prioritizing AI literacy, creating new pathways to AI jobs, and fueling rapid reskilling and other innovation pilots.

[Read the full report here.](#)

America's AI Action Plan

America's AI Action Plan sets forth clear policy goals for near-term execution by the Federal government. The Action Plan's objective is to articulate policy recommendations that this Administration can deliver for the American people. See more in the 28 page report found here: [America's AI Action Plan](#).

Advancing Artificial Intelligence Education for American Youth

New policy promotes AI literacy and proficiency among Americans by promoting the appropriate integration of AI into education, providing comprehensive AI training for educators, and fostering early exposure to AI concepts and technology to develop an AI-ready workforce and the next generation of American AI innovators. More on this April 23rd Executive Order is found here: [Advancing Artificial Intelligence Education for American Youth – The White House](#).

Preparing Americans for High-Paying Skilled Trade Jobs of the Future

Executive Order (EO) 14278 seeks to optimize and target Federal investments in workforce development to align with our country's reindustrialization needs and equip American workers to fill the growing demand for skilled trades and other occupations. The EO protects and strengthens Registered Apprenticeships and build on their successes to seize new opportunities and unlock the limitless potential of the American worker. [Preparing Americans for High-Paying Skilled Trade Jobs of the Future – The White House](#).

APPRENTICESHIP DATA & STATISTICS

National Program Data:

Currently there are 335 national program standards (NPS) registered with the Office of Apprenticeship. These programs account for 4,272 employers and 145,774 active apprentices. In FY 2025, 20 new national program standards were approved for registration. For details on those programs, go to: [Bulletins | Apprenticeship.gov](#) and select the category "National Program Standards". Policy guidance for NPS is outlined in Circular 2022-01 and Circular 2022-01a at [Circulars | Apprenticeship.gov](#).

All Program Data:

In FY 2025 thus far, the Office of Apprenticeship and state registration agencies have registered 2,124 new apprenticeship programs and 2,329 new occupations accounting for 232,636 new apprentices. FY 2025 also boasts 96,266 completions. RAPIDS reports 57,420 active employers and 684,679 total active apprentices as of 08/01/2025. We invite our state partners to keep the momentum going to get to that 1 million!

Registration Apprenticeship Grants Performance Dashboard

The Office of Apprenticeship created the [Registered Apprenticeship Grant Performance Dashboard](#) to meet a requirement under the Senate Report accompanying Fiscal Year (FY) 24 Appropriations to publicly disclose on its website grantees receiving funding, the number of registered apprentices attributable to each grantee, and the respective employment and earning outcomes of program participants.

The dashboard allows users to view Apprenticeship Grantee data currently collected by the Department of Labor's (the Department) OA. The dashboard covers the following grants and cooperative agreement:

- Apprenticeship Building America Round 1 (ABA1);
- State Apprenticeship Expansion Formula (SAEF1); and
- Trades Futures Cooperative Agreement.

GRANTS & COOPERATIVE AGREEMENTS

Posted

The availability of approximately \$30 million for an initial round of the Industry-Driven Skills Training Fund ("Training Fund") grants, with award amounts of up to \$8 million was announced on August 6th, 2025. These grants will address critical workforce needs for in-demand skilled trade careers and in high-growth and emerging industries, in support of [Executive Order 14278](#), *Preparing Americans for High-Paying Skilled Trade Jobs of the Future* and [America's AI Action Plan](#), and at least \$5 million of the total available funding will be awarded to support training in the shipbuilding industry. Interested stakeholders are encouraged to seek partnership with your local workforce agency to apply for this grant. More can be found in [TEGL 02-25 | U.S. Department of Labor](#).

Forecasted

The U.S. Department of Labor's Bureau of International Labor Affairs has posted a Notice of Intent for the Revitalizing Domestic Manufacturing by Developing the Next Generation of America's Shipbuilders through International Partnerships grant. Eligible applicants may include any commercial, international, educational, or non-profit organizations, including any faith-based organizations, community-based organizations, or public international organizations (PIOs). Please note there is limited information that may be shared with the public, as this grant is currently under development but it can be followed here: [FOA-ILAB-25-45](#).

Awarded

On June 30th, 2025, the U.S. Department of Labor announced the award of nearly \$84 million in grants to 50 states and territories to increase the capacity of Registered Apprenticeship programs, representing an important step toward meeting the Administration's goal of expanding the program to 1 million active apprentices. More information on the State Apprenticeship Expansion Formula (SAEF) Round 3 grant can be located at [DOL.gov/newsroom](#).

Improving Oversight of Federal Grantmaking

The strong need to strengthen oversight and coordination of, and to streamline, agency grantmaking is addressed in this Executive Order released on August 7, 2025. The EO works to ensure greater accountability for use of public funds more broadly implementing revised Uniform Guidance to come.

For more information regarding federal grants and agreements go to [Grants.gov](#)

APPRENTICESHIP EVENTS

Prevailing Wage Seminar September 24th & 25th, 2025 Webinar

The Department of Labor, Wage and Hour Division is offering a free 2-day seminar online covering Davis-Bacon, Service Contract Act, and other related compliance topics. View the agenda and register at: <https://www.eventbrite.com/e/september-2025-department-of-labor-prevailing-wage-seminar-tickets-1021621707027>.

Advancing California Apprenticeship Summit October 7th – 9th, 2025 Riverside, CA

The Advancing California Apprenticeship Summit brings together apprenticeship practitioners, industry partners, funders, and key stakeholders from across the state to explore innovative apprenticeship models. Co-organized by California-based apprenticeship program administrators, national workforce and education changemakers, and employer champions forging new pathways for apprentices in their industry, this summit offers a dynamic series of workshops, presentations, and discussions. Check out the event site and register today at: [Home - Advancing California Apprenticeship Summit](#).

2025 NASTAD Conference October 26 – 30th, 2025 Englewood, CO

The National Association of State and Territorial Apprenticeship Directors (NASTAD) conference theme is Blazing Trails Together: Shaping the Next Frontier of Apprenticeship. Apprenticeship directors from around the nation will convene to share best practices, discuss common challenges, and work together to maintain the forward momentum of the nation's apprenticeship system. Partners from the US Department of Labor and other supporting organizations may also attend to share in the professional growth and bring relevant content from their associated work. [Visit the conference website](#).

NASTAD is currently seeking partners to sponsor the 2025 NASTAD Conference! Sponsors will receive access to exclusive events like site visits, a VIP reception, and more. Sponsorship packages range from \$5,000-\$25,000. [Learn more about sponsorship options for the 2025 NASTAD Conference](#).

National Youth Apprenticeship Summit December 4th & 5th, 2025 Alexandria, VA

This year's Summit, presented by CareerWise and the Partnership to Advance Youth Apprenticeship (PAYA), will bring together hundreds of youth apprenticeship practitioners from across the country to connect and to build capacity around strategies that drive success in the scaling of youth apprenticeship programs. Check out the event site and register today at: [National Youth Apprenticeship Summit 2025](#).

FINAL REGIONAL MESSAGE

Greetings Sponsors, Stakeholders, and other Partners,

As we unite under our shared mission to achieve the ambitious goal of 1 million registered apprentices, the strength of our collaboration is paramount. Our collective success depends on the synergy we cultivate between each other, our industry partners, and the apprentices we serve.

The recent executive orders aimed at expanding apprenticeship opportunities affirm our universal commitment to making apprenticeship not only a proven workforce strategy but also an accessible opportunity for individuals across all sectors. These directives unlock exciting avenues for alignment, and enhanced industry engagement. Your leadership and unwavering commitment are the driving forces behind our mission. Together, we can accelerate growth and elevate apprenticeship as the premier choice for skill development nationwide.

As we navigate the rest of 2025, let's take a moment to celebrate the incredible achievements we've made together in expanding and innovating apprenticeship opportunities so far. I encourage each of you to share your insights and experiences so that we can continue to learn from one another. Looking ahead, let's set actionable goals that focus on exploring new occupations, developing innovative solutions, and strengthening our partnerships.

Let's work hand in hand to set the pace, establish the standard, and achieve the 1 million mark together. Thank you for your ongoing dedication and collaborative spirit; together, we can make a transformative impact on the apprenticeship landscape.

Best regards,



Erica Johnson
Regional Director



Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Marshall Islands, Nevada, Northern Mariana Islands, Micronesia Oregon, Palau, and Washington

V. NEW BUSINESS

Review and Recommendation

- B. Revisions to the Standards of Apprenticeship for Painter, Floor Layer, Glazier, and Taper Apprenticeship Programs. The Revisions Added Pre-Apprenticeship Provisions Under the Following:
- Section 15, Granting Credit
 - Selection Procedures – Appendix B



**International Union of Painters and Allied Trades
District Council 50**

August 14, 2025

Ms. Maricar Pilotin-Freitas:
Administrator, Workforce Development Division
Department of Labor and Industrial Relations
830 Punchbowl Street, Rm. 329
Honolulu, Hawaii 96813

**Re: Requested Changes to the Training Standards for the Painters,
Tapers, Glaziers and Floor Layers Training Funds**

Dear Ms. Pilotin-Freitas:

The International Union of Painters and Allied Trades, District Council 50 ("DC50") is requesting the addition of the following language regarding pre-apprenticeship programs be added to the Standards of Apprenticeship for the Painters, Tapers, Glaziers and Floor Layers:

1. Section 15. Granting of Credit. DC50 is requesting the addition of a new subsection "D" to Section 15 of each trade's standards to read as follows:

D. Credit for Pre-apprenticeship Completion:

A participant in a District Council 50 approved pre-apprenticeship program who successfully completes the program may receive credit for related classroom instruction and on-the-job learning hours from their entry into the apprenticeship program, provided those hours are documented and verified.

The number of credit hours received towards their term of apprenticeship will be based on the evaluation of the apprenticeship program training staff. Granted credit hours shall be applied toward their term of apprenticeship and used to determine their appropriate wage rate.

All granted credit hours shall be recorded in apprentice's training file, and the sponsor shall ensure records are properly maintained and available to the Department of Labor and Industrial Relations and other authorized party(ies) upon request.

2240 Young Street
Honolulu, HI 96826

Phone

808.941.0981

Fax

808.955.9081

Email

info@dc50.org

Website

www.dc50.org

PAINTERS

808.941.0981

GLAZIERS,

ARCHITECTURAL

METAL AND

GLASSWORKERS

808.948.3329

CARPET, LINOLEUM

AND SOFT TILE

808.947.3988

DRYWALL PAPERS,

FINISHERS

808.946.6621

This credit policy complies with all applicable state and federal apprenticeship regulations, such as Title 29 CFR Part 29.

2. Appendix B. DC50 requests the addition of a new Section "C" to Appendix "B" of each trade's standards to read as follows:

C. Selection of Apprentices from Pre-apprenticeship Programs:

A participant in a District Council 50 approved pre-apprenticeship program who successfully completes the program shall be offered indentureship into the Apprenticeship Program and initiation into the Union.

Successful completion shall be determined by a pass/fail assessment based on the following criteria:

- A minimum attendance rate of 90%.
- Demonstrated hands-on proficiency in core competencies (on-the-job learning).
- Satisfactory instructor evaluation based on a standardized rubric (related training instruction).

The successful participant shall receive credit for related training instruction and on-the-job learning hours completed during the pre-apprenticeship program. All credited hours shall be documented, verified by the authorized individual(s) of the registered apprenticeship program, and recorded in the participant's apprenticeship training file.

Qualified participants shall be offered membership into the Union within 30 days of verified completion. This process shall be conducted in accordance with equal opportunity and nondiscrimination regulations.

Participants receiving credit shall be eligible for advancement in accordance with Section 15D.

These requested changes are intended to allow DC50 to develop programs and enter into pre-apprenticeship agreements with various partners in the community. We are asking for these changes to our standards because we have been advised that if we want to utilize instructors and/or material from our existing apprenticeship plans in support of these pre-apprenticeship programs, we should amend our apprenticeship standards.

Ms. Maricar Pilotin-Freitas
August 14, 2025
Page 3

Because we anticipate an increased need for manpower in the near future, we would like to expedite the approval process, if possible. We understand that the SAC is scheduled to meet on August 27, 2025, and will not meet again until sometime in late December of 2025. We therefore respectfully request that the SAC consider our requested changes at its August 27, 2025 meeting.

Please don't hesitate to contact me if you have any questions or concerns.

Very truly yours,



Jeffrey Masatsugu
Director of Government Affairs
International Union of Painters and Allied Trades
District Council 50

Encl.

cc: Mr. Edgar Fernandez
Ms. Jaimee Tabangay

VI. UNFINISHED BUSINESS

1. Review and Recommendation on the High Regard Arborist Apprenticeship Program



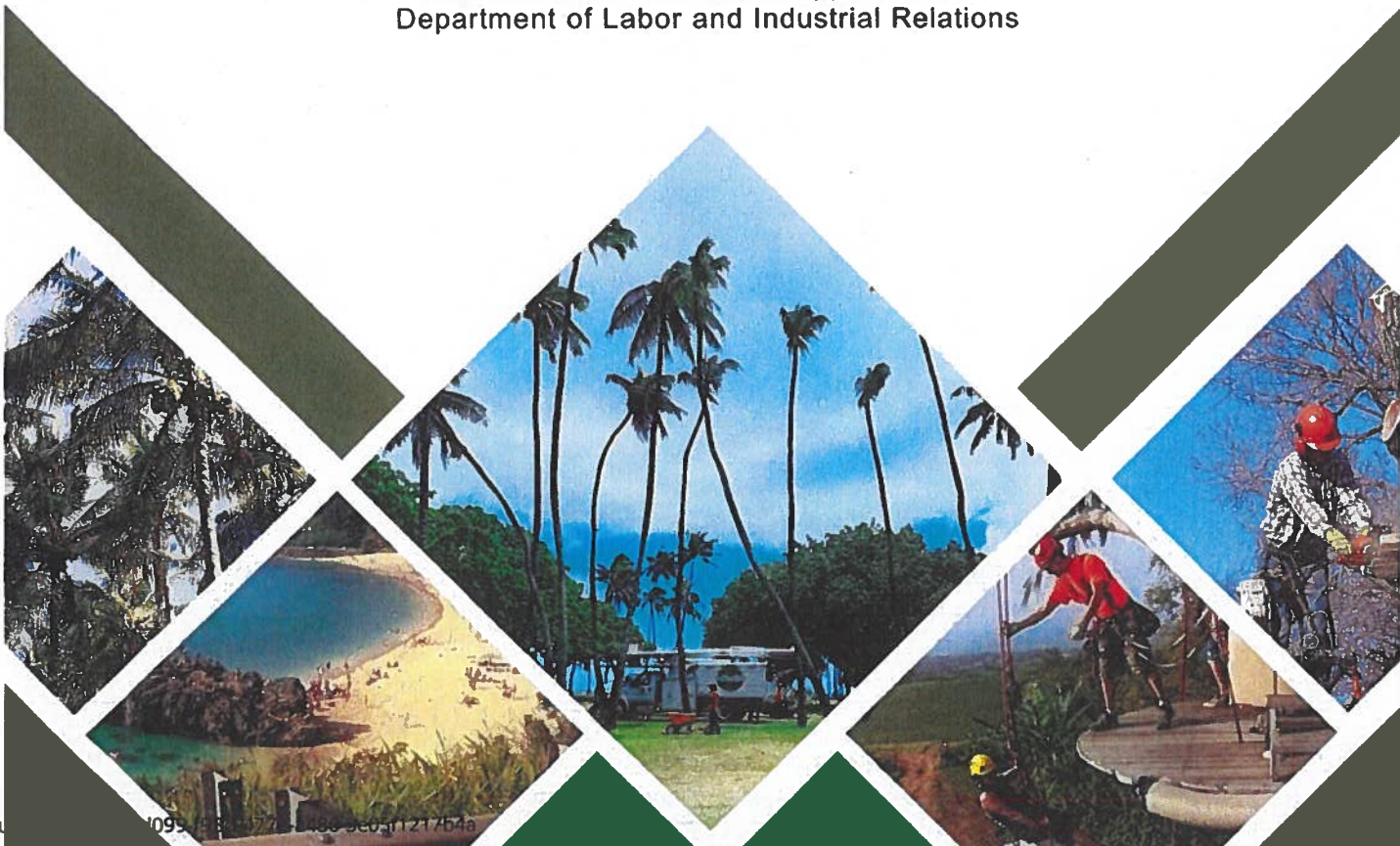
HIGH REGARD ARBORIST APPRENTICESHIP PROGRAM

Registered Apprenticeship Standards
State of Hawaii
Department of Labor and Industrial Relations

Sponsor:
High Regard
94-990 Pakela St. Waipahu HI, 96797

Contact Person:
Jon Perry, CEO
jon@oahutreeworks.com
808-265-7495

Prepared for Submission to:
State of Hawaii – Office of Apprenticeship
Department of Labor and Industrial Relations



STANDARDS OF APPRENTICESHIP

DEVELOPED BY:

High Regard

FOR THE OCCUPATION OF:

Arborist

O*NET SOC CODE: **37-3013.00 (Tree Trimmers and Pruners)**

APPROVED AND REGISTERED BY:

**DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET | HONOLULU, HI 96813**

PROGRAM IDENTIFICATION

A. Name of Program: High Regard Arborist Apprenticeship Program

B. Occupation(s): Arborist

O*Net SOC Code: 37-3013.00

C. Name and Address of Sponsor:

Jonathan Perry
High Regard
94-990 Pakela St.
Waipahu, HI 96797

D. Contact Person of the Program:

Jonathan Perry
CEO, High Regard
94-990 Pakela St.
Waipahu, HI 96797
jon@oahutreeworks.com | 808-265-7495

E. Type of Apprenticeship Program: (Please check appropriate box)

- ☐ "Group Joint" Employers and Union Sponsorship
- ☐ "Group Non-Joint" Employers Association Sponsorship, No Union Participation
- ☐ "Individual Joint" Single Employer and Union Sponsorship
- ☒ "Individual Non-Joint" Single Employer, No Union Participation

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SECTION I – PROGRAM OVERVIEW

High Regard is a Hawaii-based arboriculture (“tree care”) company committed to raising industry standards through high-quality training and safety practices. The company provides residential and commercial tree care services with a strong focus on professionalism, client education, and environmental responsibility.

The purpose of developing this registered apprenticeship program is to formally train and certify arborist professionals using a structured, hands-on pathway that supports workforce development in Hawaii. This program will ensure a consistent pipeline of skilled workers who meet industry and state expectations for safety, quality, and technical expertise.

SECTION II – PROGRAM ADMINISTRATION

High Regard is the sponsor and will be responsible for the over-all operation and administration of the apprenticeship program, including but not limited to the following:

- a. Establish apprenticeship standards for the Apprenticeship Program and submit to the Department of Labor and Industrial for approval.
- b. Modify and revise program apprenticeship standards and submit revisions to the Registration Agency for approval.
- c. Determine the need for apprentices based on the needs of the sponsor/employer.
- d. Operate and administer the apprenticeship program following the standards of apprenticeship.
- e. Coordinate with the training provider for the effective delivery of the related training instruction component of the apprenticeship program
- f. Process apprenticeship transactions pertaining to registration, suspension, cancellation, or reinstatement for submission and approval by the Department of Labor and Industrial Relations (DILR).
- g. Grant credit hours or advanced standing that may be granted to apprentices for previous experience and training.
- h. Conduct periodic review and evaluation of the progress of the apprentice on-the-job and related instruction.

- i. Recommends the completion of apprentices for issuance of the Certificate of Completion by the Department of Labor and Industrial Relations.
- j. Perform other activities that are necessary for the effective administration of the program.

The above responsibilities of the sponsor and day-to-day operation and administration of the apprenticeship program will be the responsibility of the Apprenticeship Coordinator who is also the contact person for the program.

SECTION III – TERM OF APPRENTICESHIP

The term of apprenticeship will be 3 years and will consist of 6,000 hours (2,000 per year recommended) of on-the-job learning and supplemented by 440 hours minimum (146.6 hours/year) of related instruction. Full credit will be given for on-the-job learning hours during the probationary period.

The program is hybrid which measures skill acquisition through a combination of the apprentice's successful demonstration of acquired skills and knowledge and completion of on-the-job learning hours and related instruction hours.

SECTION IV – ON THE JOB TRAINING

During the term of apprenticeship, the apprentice will receive on-the-job learning in all phases of the occupation that are necessary to develop the skill and proficiency to become a skilled and competent Arborist. The on-the-job learning will be following the Work Process Schedule/Competencies as outlined in Appendix C.

On-the-job learning will be under the direction and guidance of the supervisor of the apprentice in accordance with the approved apprentices to journeyworker/mentor ratio.

SECTION V – RELATED TRAINING INSTRUCTION

The related training instruction (RTI) consists of 440 total hours of technical subjects that are closely correlated with the practical experience and training received on the job.

Tree Care Industry Association (TCIA) will serve as the training provider for related instruction in accordance with the course curriculum/outline provided in Appendix D. The training provider will provide adequate instructional aids and equipment that are necessary to ensure safe and quality instruction. The Sponsor will secure competent instructors who have the knowledge and experience to provide the related instruction.

Related instruction will be delivered in a classroom setting or accomplished through online courses as approved by the Registration Agency, depending on availability. The Sponsor will monitor and document the apprentice's progress in related instruction classes

Apprentices attending related instruction classes will not be paid/compensated while attending or accomplishing related instruction outside of regular working hours.

SECTION VI – MINIMUM QUALIFICATIONS AND SELECTION FOR APPRENTICESHIP

Minimum Qualification

Applicants shall meet the following minimum qualifications:

1. **Age:** Must be at least 18 years old
2. **Education:** High school diploma or GED required
3. **Physical:** Must be able to lift 50 pounds and work outdoors in variable weather conditions
4. **Other:** Valid driver's license preferred

The apprenticeship program is open to qualified applicants who are new hires or incumbent employees of the sponsor.

SECTION VII – APPRENTICE’S WAGE PROGRESSION

Apprentices will progress through wage steps based on a combination of on-the-job learning (OJL) hours and related instruction (RTI) hours completed. To advance to the next wage tier, apprentices must meet both the OJL and RTI minimum thresholds listed below,

Year	Level	On-the-Job Learning Hours	Related Instruction Hours	Competencies	% Journey Wage	Hourly Wage
1	1	500	40	29	67%	\$24.00
	2	1000	80	15	72%	\$26.00
	3	1500	120	7	74%	\$26.80
	4	2000	140	13	77%	\$28.00
2	5	2500	180	14	81%	\$29.20
	6	3000	220	15	83%	\$30.00
	7	3500	260	23	85%	\$30.80
	8	4000	300	16	88%	\$32.00
3	9	4500	340	10	92%	\$33.20
	10	5000	380	10	94%	\$34.00
	11	5500	420	10	96%	\$34.80
	12	6000	440	10	100%	\$36.00

Wage Progression Overview: Wage progression is determined by both on-the-job learning and related instruction hours, and competencies that are built into the related instruction. Apprentices must complete the required minimum OJL, RTI hours, and attain competencies for each step before advancing to the next wage level. This will ensure that apprentices are acquiring both practical experience and theoretical knowledge in arboriculture. The check-off list of competencies is attached to the standards as Appendix D-1.

Apprentices who complete the OJL and RTI hours but lacking the competency requirements shall be frozen at the wage rate until such time that the apprentice demonstrates attainment of competency as determined by the sponsor. Evaluation of attainment of competencies will be done objectively by the sponsor and applied equally to all apprentices.

The sponsor may cancel the apprenticeship agreement for unsatisfactory performance by the apprentice.

Start wage of all apprentices begins at Step 1 which is 50% of the Journeyworker wage (equivalent to \$20.00/hour). The base wage will increase incrementally as apprentices meet specific OJL and RTI hour benchmarks, and competencies.

SECTION VIII – PROBATIONARY PERIOD

All applicants selected for apprenticeship will serve a probationary period of 500 hours of on-the-job learning. The probationary period begins once the individual is hired/employed as an apprentice. During the probationary period, the apprentice or the sponsor/employer may terminate the apprenticeship agreement without stated cause.

The records for each probationary apprentice shall be reviewed prior to the end of the period. Records may consist of periodic reports regarding progress made on both on-the-job learning (OJL) and related training instruction (RTI), and any disciplinary action taken during the probationary period.

Any probationary apprentice evaluated as satisfactory after a review of the probationary period shall be given full credit for OJL hours and RTI hours completed during the probationary period and will continue in the program.

SECTION IX – RATIO OF APPRENTICE(S) TO JOURNEYWORKER(S)

The ratio of apprentice to journeyworker, consistent with proper supervision, training/instruction, safety, and continuity of employment throughout the apprenticeship, will be one (1) apprentice(s) to one (1) Journeyworker/Supervisor. Such a journeyworker/supervisor is an individual who has the skills, training, and knowledge on the occupation and will be responsible for the training of the apprentice, including work assignments, conducting review and evaluation of performance, and submitting reports to the sponsor.

SECTION X – CREDIT FOR PREVIOUS EXPERIENCE OR ADVANCE STANDING

Credit hours may be granted to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to that which would be received under these Standards. Credit hours granted will be credited towards the term and completion of the apprenticeship.

Apprentices seeking credit for previous experience or related training must submit the request for credit at the time of application and furnish such records, affidavits, and other required evidence of work experience demonstrating competencies to substantiate the claim. The sponsor will assess and evaluate previous experience and training that aligns with the work processes, or related instruction. Based on the result of

the assessment and evaluation, the sponsor will determine the number of hours that will be granted. Credit hours will be applied to the specific work process(es), related instruction and/or competencies where the previous acquired experience or training are applicable.

The granting of credit or advanced standing for both on-the-job learning and related instruction will be uniformly applied to all apprentices.

SECTION XI – COMPLAINT PROCEDURES

If an applicant or an apprentice believes an issue exists that adversely affects his/her participation in the apprenticeship program or violates the provisions of the Apprenticeship Agreement or Standards, relief may be sought through one or more of the following avenues, based on the nature of the issue:

- a. For issues regarding wages, hours, working conditions, and other issues, apprentices may seek resolution in accordance with the procedures for filing a complaint or grievance in the High Regard Employee Handbook.
- b. Any controversy or agreement arising under an apprenticeship agreement which cannot be resolved internally between the parties (sponsor and the apprentice) may be submitted to the Registration Agency for review. The Registration Agency in Hawaii is the Workforce Development Division, Department of Labor and Industrial Relations.

The name of the person with authority under the program to receive, process and make disposition of the complaint is:

Jon Perry
jon@oahutreeworks.com
808-265-7495
High Regard, Waipahu HI 96797

- b. Complaints concerning discrimination in the apprenticeship program or other equal opportunity matters must be submitted may be submitted with the Registration Agency and will be processed in accordance with applicable provisions under Chapters 30 and 31, Title 12 Hawaii Administrative Rules or 29 CFR parts 29 and 30.

SECTION XII – EQUAL EMPLOYMENT STANDARDS

High Regard shall comply with the following Equal Employment Opportunity Pledge on Apprenticeship:

"The recruitment, selection, employment, and training of apprentices during their apprenticeship shall be without discrimination based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, age (40 or older), disability, marital status, or arrest and court record which does not have a substantial relationship to the functions and responsibilities of the prospective or continued employment, provided that a sponsor may refuse to refer for employment an individual for good cause relating to the ability of the individual to perform the work in question. Affirmative action shall be undertaken to provide equal employment opportunity in apprenticeship and the apprenticeship program shall be operated as required under chapter 31, title 12, Administrative Rules or its successors and Title 29, part 30 of the Code of Federal Regulations."

The Sponsor is an Equal Employment Opportunity Employer and does not discriminate in the recruitment, selection, employment and training of apprentices and ensures the identification, positive recruitment, training, and motivation of underrepresented populations, including minority and female apprentices.

SECTION XIII – ADOPTION AND APPROVAL OF APPRENTICESHIP STANDARDS

- A. The Sponsor, High Regard through the undersigned hereby adopts these Standards of Apprenticeship for Arborist Apprenticeship Program for approval:

Signature: Jonathan Perry
Name: Jonathan Perry
Title: CEO, High Regard
Date: 08/18/2025

- B. Approved and Registered by the Department of Labor and Industrial Relations

Signature: _____
Name: Jade Butay
Title: Director
Date: _____

APPENDIX A

ASSURANCES AND CERTIFICATIONS

By its signature to the Standards of Apprenticeship, the Sponsor assures and certifies that it will fully comply with the following requirements in accordance with Chapters 30 and 31, Title 12, Hawaii Administrative Rules, and Federal Regulations on Apprenticeship in 29 CFR Part 29:

1. Apprentices indentured into the apprenticeship program shall not be less than eighteen (18) years of age.
2. All apprentices shall be afforded qualified training personnel and adequate supervision on the job. All apprentices will receive instruction in safe and healthful work practices both on-the-job and in related instruction that are in compliance with State or Federal Occupational Safety and Health Standards.
3. All apprentices shall be placed under a written apprenticeship agreement, which shall directly, or by reference, incorporate the standards of the program as part of the agreement.
4. Proposed modifications to the Apprenticeship Program shall be promptly submitted to the DLIR for review and approval.
5. The Sponsor shall promptly request apprentice registrations, completions, cancellations, and suspension with reasons to DLIR.
6. If for any reason, the Sponsor is unable to fulfill his/her training obligations due to lack of work or inability to conform to these Standards, the Sponsor will make every effort to refer the apprentices who are interested in continuing their apprenticeship to another registered program for the same or similar occupation, if available. This will provide the apprentices an opportunity for completion of their Apprenticeship Program. The Sponsor will make available to the apprentice and the receiving employer the apprentice's training record if a similar program is available.
7. The Sponsor will maintain for a period of five (5) years from date of last action, all records relating to apprentice applications (whether selected or not), the employment and training of apprentices, and any other information relevant to the operation of the program, and make these records available on the request of the Registration Agency.
8. For Time-Based Apprenticeship Programs, each apprentice may be responsible for recording his/her hourly work experience/On-the-Job Learning and Related Training Instruction (RTI). Whether the apprentice or supervisor records hourly work experience and RTI, the record must be signed by both the apprentice and

supervisor to verify the information and to keep the apprentice update about progress in the apprenticeship program.

For Competency-Based Apprenticeship Programs, the Sponsor is responsible to maintain records and documentation of competencies attained with a date when the competency is attained, and initialed by both the apprentice and supervisor for each competency so that the apprentice is aware of his or her progress in the apprenticeship program.

The apprentice will authorize release of related instruction records before submitting to the Sponsor. All data, written records of progress evaluations, and corrective and final actions pertaining to the apprentice will be maintained by and will be the property of the Sponsor. These records will be included in each apprentice's records maintained by the Sponsor.

9. Periodically, or at any other time when conditions warrant, the Sponsor will evaluate the apprentice's record of performance to determine whether he/she has made satisfactory progress. If an apprentice's related instruction or on-the-job progress is found to be unsatisfactory, the Sponsor may determine whether the apprentice will be required to repeat a work process. Should it be found that the apprentice does not have the ability or desire to continue the training to become a Journey worker, the Sponsor will, after the apprentice has been given adequate assistance and opportunity for corrective action may cancel the apprentice..
10. The Sponsor may request at any time to cancel the apprenticeship program set forth herein. If the Sponsor fails to abide by these Standards, DLIR may initiate deregistration of the Apprenticeship Program.
11. The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on agreement between the apprentice and the affected apprenticeship committee or program sponsors, and must comply with the following requirements:
 - a. The transferring apprentice must be provided a transcript of related training instruction and on-the-job learning by the committee or program sponsor.
 - b. The transfer must be to the same occupation, and
 - c. A new apprenticeship agreement must be executed when the transfer occurs between program sponsors.
12. The Standards for Apprenticeship shall comply with federal and state laws, rules, regulations, and requirements pertaining to apprenticeship.

13. The Sponsor agrees to follow and provide all Appendices to these Standards of Apprenticeship, if applicable:

Appendix A – Assurances and Certifications

Appendix B – General Provisions

Appendix C – Work Process Schedule/Competencies

Appendix D – Related Training Instruction/Course Curriculum Outline

Appendix E – Affirmative Action Program

Appendix F – Selection Procedures

14. The Sponsor certifies that the information contained in the Apprenticeship Agreement is true and correct to the best of their knowledge and understands that the agreement will not be considered if it is incomplete. Further, the Sponsor understands that any false or misleading statements and/or omissions, whenever discovered, regarding the Apprenticeship Program are grounds for disqualification from further consideration and from dismissal from the program.

APPENDIX B

GENERAL PROVISIONS

The administration and operation of the Apprenticeship Program shall be in accordance with the following General Provisions:

1. During the period of probation, the DLIR Director shall cancel the apprenticeship agreement at the request in writing of any party thereto. (This provision is not applicable if probationary period is covered by collective bargaining).
2. After an apprentice's probationary period, if applicable, the DLIR Director may cancel an apprenticeship agreement:
 - i. Upon agreement of the parties thereto;
 - ii. At the request of the apprentice;
 - iii. Upon recommendation by the sponsor, for good cause, with due notice to the apprentice and a reasonable opportunity for corrective action; or
 - iv. For good cause by DLIR after giving all parties notice and opportunity to be heard.
3. The services of DLIR may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where the differences cannot be settled internally by the parties or in accordance with their established procedures, and that any such differences which cannot be amicably settled by the parties may be submitted to the DLIR Director for final decision.
4. The DLIR shall recognize an apprentice's completion of an apprenticeship program by issuing a certificate of completion to the apprentice.
5. The DLIR shall register, cancel, or deregister Apprenticeship Programs in compliance with Chapter 372 HRS, and Chapter 12, Subtitle 5, Chapter 30 Administrative Rules for Apprenticeship.

APPENDIX C

WORK PROCESSES SCHEDULE/COMPETENCIES

WORK PROCESS SCHEDULE ARBORIST

O*NET-SOC CODE: 37-3013.00 RAPIDS CODE: 2048

Adhere to ANSI and employer safety standards for all work.	400-500
A. Inspect, maintain and use the appropriate personal protective equipment.	
B. Inspect, maintain and use the appropriate tool, equipment or vehicle.	
C. Assess trees for defects and hazards.	
D. Establish and maintain safe work sites and zones.	
E. Demonstrate safety practices unique to working aloft.	
F. Comply with federal and state occupational safety and health regulations.	
 Identify common trees and shrubs in the employer's region.	180-200
A. Deciduous	
B. Evergreen	
 Perform rigging on the ground and aloft.	540-600
A. Determine the removal plan.	
B. Estimate the maximum load weight based on equipment available.	
C. Install and use a rigging system to lower the load directly to the ground.	
D. Install and use a rigging system to move the load laterally.	
 Access trees safely.	900-1000
A. Perform pre-work inspection of all equipment.	
B. Perform a pre-work inspection of the tree and site.	
C. Demonstrate appropriate use of personal fall protection equipment for work aloft.	
D. Access tree canopy.	
E. Position to work aloft.	
F. Maneuver safely through canopy; avoid electrical and other hazards.	
G. Properly retrieve and stow all gear and equipment	

Operate a chain saw on the ground and aloft, and perform field maintenance. **720-800**

- A. Safely start and control the chain saw.
- B. Perform brush cutting.
- C. Perform felling.
- D. Perform limbing and bucking.
- E. Cut wood under tension and compression.
- F. Perform removal cuts.
- G. Perform pruning cuts.
- H. Safely secure and transport the chain saw.
- I. Perform field maintenance.

Operate a chipper. **270-300**

- A. Prepare brush and wood.
- B. Position the chipper.
- C. Chip brush and wood.

Prune trees and shrubs from the ground and aloft, according to ANSI A300. **900-1000**

- A. Interpret an ANSI A300 pruning specification, and to convert the specification into a work order.
- B. Address the following pruning objectives: reduce hazards, improve aesthetics, provide clearance, and improve structure.
- C. Perform pruning cuts using the appropriate hand tools and pole tools.
- D. Perform a correct branch reduction cut.
- E. Perform a correct branch removal cut.
- F. Accurately prune without cutting into the collar or branch bark ridge.
- G. Accurately prune when there is a narrow angle of branch attachment.
- H. Prune using a 3-cut method to avoid damage and tearing.
- I. Perform pruning of shrubs.

Remove trees and shrubs. **720-800**

- A. Remove limbs.
- B. Remove trunk sections.
- C. Fell trunks or entire tree.

Local Work Processes **720-800**

- A. Operate vehicles with or without trailer.

- B. Operate aerial lifts.
- C. Operate stump grinder.
- D. Participate in responses to storms and emergency situations.
- E. Install tree support and lightning protection systems.
- F. Perform plant health care activities

TOTAL

5400-6000

APPENDIX D

RELATED INSTRUCTION OUTLINE ARBORIST O*NET-SOC CODE: 37-3013.00 RAPIDS CODE: 2048

Related instruction - This instruction shall include, but not be limited to:	APPROXIMATE HOURS
<u>Related Instruction Year 1</u>	
Arborist Skills 1	36
Arborist Equipment Fundamentals	36
Introduction to Aerial Tree Work	36
Applied Aerial Work for Arborist Apprentices	36
<u>Related Instruction Year 2</u>	
Tree and Shrub Identification 1 for Arborist Apprentices	36
Arborist Skills 2	36
Rigging and Tree Removal Fundamentals for Arborist Apprentices	36
Tree Biology & Identification 2 for Arborist Apprentices	36
<u>Related Instruction Year 3</u>	
Arborist Skills 3	36
Advanced Rigging and Tree Felling with Field Skill Building for Arborist Apprentices	36
Plant Health Care Treatments & Shrub Identification 3 for Arborist Apprentices	36
Leadership in Tree Care Operations, Communication Skills, and a Capstone Project	36
Transition to Trainer: Your Role as a Journey Worker	8
State Pesticide Applicator License, Safety, CPR, First Aid, AED, CDL, and other employer required training or certifications	Varies
TOTAL	440

COURSE CURRICULUM OUTLINE For Arborist Apprenticeship Program

COURSE DESCRIPTION: The course curriculum consists of the following modules:

HOURS (Total): 440 hours

PREREQUISITE: Acceptance into the apprenticeship program

COURSE OBJECTIVES: Upon completion of this course, students will be able to:

- Understand core arboricultural techniques and safety practices
- Understand tree biology, pruning, and removal standards
- Demonstrate proper use of arborist equipment and PPE

MODULE I: Tree Anatomy, Biology, and Pruning Techniques - 144 hours

Upon completion of this unit, the student will be able to:

- Understand basic tree anatomy and physiology
- Demonstrate correct pruning techniques and tree ID

MODULE II Arborist Equipment Operation and Climbing Fundamentals - 144 hours

Upon completion of this unit, the student will be able to:

- Demonstrate safe chainsaw and chipper operation
- Understand climbing gear, harness systems, and rigging

MODULE III Jobsite Safety, Client Relations, and Tree Removal - 144 hours

Upon completion of this unit, the student will be able to:

- Prepare worksites and perform job briefings
- Understand emergency response, storm recovery, and client relations
- Demonstrate removal techniques and integrated pest management

EQUIPMENT AND MATERIALS:

- Computer
- Projector
- Internet
- Manuals

METHODS OF INSTRUCTION:

- Lectures
- Demonstrations
- Videos
- PowerPoint Presentation
- Hands On

METHODS OF EVALUATION:

- Written Quizzes
- Demonstration Checklists
- Skills evaluations

APPENDIX E

AFFIRMATIVE ACTION PLAN PROGRAM

As required under Title 12, Chapter 31, Hawaii Administrative Rules and Title 29, Code of Federal Regulations, Part 30 as amended.

Adopted by High Regard

Section I: Introduction

The Sponsor, High Regard, adopts this Affirmative Action Plan (AAP) with good faith for the purpose of promoting equality of opportunity into its registered apprenticeship program. High Regard seeks to increase the recruitment of qualified women, minorities, and/or persons with disabilities for possible selection into the apprenticeship program in the event women and/or minorities are underutilized in the apprenticeship program.

Section II: Equal Opportunity Pledge

The Sponsor commits to the following Equal Opportunity Pledge:

"The recruitment, selection, employment, and training of apprentices during their apprenticeship shall be without discrimination on the basis of race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, age (40 or older), disability, marital status, or arrest and court record which does not have a substantial relationship to the functions and responsibilities of the prospective or continued employment, provided that a sponsor may refuse to refer for employment an individual for good cause relating to the ability of the individual to perform the work in question. Affirmative action shall be undertaken to provide equal employment opportunity in apprenticeship and the apprenticeship program shall be operated as required under chapter 31, title 12, Administrative Rules or its successors and Title 29, part 30 of the Code of Federal Regulations."

Section III: Utilization and Analysis, Goals and Timetables

In order to allow positive recruitment and full utilization of minorities and women in the apprenticeship program, High Regard pledges to undertake outreach efforts under Section IV. An analysis of the minority and women in the labor force will be made to determine if deficiencies exist in terms of underutilization of minorities and/or women in the occupations registered with the Registration Agency. (See attached Affirmative Action Plan Analysis Worksheet)

Section IV: Outreach and Positive Recruitment

The Sponsor will conduct outreach and positive recruitment efforts that would reasonably be expected to increase minority and women's participation in

apprenticeship by expanding the opportunity of minorities and women to become eligible for apprenticeship selection that may include the following:

- a) Announcement of specific apprenticeship openings will be disseminated thirty (30) days in advance of the earliest date for application at each interval to different organizations which can effectively reach minorities, women, or other underrepresented populations. These organizations may include the following:
 - Registration Agency
 - Women's Organizations/Centers
 - Local Schools
 - Employment Service Centers
 - American Job Centers
 - Vocational Education Schools
- b) Participate in workshops for the purpose of familiarizing school, employment service and other appropriate personnel with the apprenticeship program and current opportunities.
- c) Work with school boards, vocational educational systems, or community colleges to develop programs for preparing students to meet the standards and criteria required to qualify for entry into the apprenticeship program.
- d) Communicate internally the equal opportunity policy in such manner that will foster understanding, acceptance, and support among various officers, supervisors, and employees and to encourage such persons to take the necessary action to aid in meeting its obligations.
- e) Utilize programs, such as pre-apprenticeship, preparatory trade training, or other programs designed to afford related work experience or prepare candidates for apprenticeship. Those who complete such programs are afforded full and equal opportunity for admission into the apprenticeship program.
- f) Other activities to ensure that the recruitment, selection, employment, and training of apprentices during their apprenticeship will be without discrimination, including the use of minority and female apprentices and journey-workers to conduct outreach or recruitment.

Section V: Annual Review of Affirmative Action Plan

The Sponsor will make an annual review of its current AAP and its overall effectiveness and institute any revisions or modifications warranted. The review will analyze (independently and collectively) the affirmative action steps taken for evaluating the positive impact, as well as the adverse impact in the areas of outreach and recruitment, selection, employment, and training. The Sponsors will work diligently to identify the cause and affect those results from their affirmative

action measures and will continually monitor these processes in order to identify the need for a new affirmative action effort and/or deletion of ineffective existing activities. All changes to the AAP will be submitted to the Department of Labor and Industrial Relation for approval. The Sponsor will continually monitor the participation rates of underrepresented population in the apprenticeship program in an effort to identify any type of underutilization.

If underutilization exists, corrective action will be immediately implemented. The goals and timetables also will be reviewed periodically as determined by the Registration Agency and updated where necessary.

AFFIRMATIVE ACTION PLAN – ANALYSIS WORKSHEET

Occupational Title: Arborist O*Net Code: _____
Sponsor: High Regard
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Type of Selection Uses: _____
Labor Market Area: _____

LABOR MARKET AREA DATA (Leave this blank)

Total Labor Force in Labor Market Area: Honolulu, Oahu, Hawaii
Number Women: _____ (8%) of Labor Force
Number Minority: _____ (30%) of Labor Force

Working Age Population in Labor Market Area: Honolulu, Oahu, Hawaii
Number Women: _____ (8%) of Working Age Population
Number Minority: _____ (30%) of Working Age Population

The General Availability of Minorities and Women with the Present or Potential Capacity for Apprenticeship.

Number Women: 8%
Number Minority: 30%

SPONSOR'S WORKFORCE DATA

Journey-Workers: 4
Number Women: 0 (0 %) of Journey-Workers
Number Minority: 20 (50 %) of Journey-Workers

Apprentices: _____
Number Women: _____ (_____ %) of Apprentices
Number Minority: _____ (_____ %) of Apprentices

DETERMINATION OF UTILIZATION

Minority Underutilization: ☐ Yes ☐ No
Female Underutilization: ☐ Yes ☐ No

(Note: All Factors Need Not Be Weighed Equally.)

SPONSOR'S GOALS

The sponsor agrees to make good faith efforts to attain the goal of selecting 30% minorities and 8% women during the next year or hiring period. These goals shall not be used to discriminate against any qualified applicant on the basis of race, color, religion, national origin or sex.

Estimated Number of New Apprentices to be hired during the next year: 4

APPENDIX F

QUALIFICATIONS AND SELECTION PRODECURES

As required under Title 12, Chapter 31, Hawaii Administrative Rules and Title 29, Code of Federal Regulations, Part 30 as amended.

Adopted by High Regard

Section I: Minimum Qualifications

Applicants will meet the following minimum qualifications:

- Age: Be at least eighteen (18) years of age.
- Education: Possess a high school diploma or GED
- Physical: Must be able to lift 50 pounds and work outdoors in variable conditions
- Other: A valid driver's license is preferred

Section II: Application Procedures

- A. Applicants will be accepted (throughout the year or as specified). All persons requesting an application will have one made available upon request.
- B. All applications will be identical in form and requirements. The application form will be numbered in sequence corresponding with the number appearing on the applicant log so that all applications can be accounted for. Columns will be provided on the applicant log to show race/ethnic and sex identification and the progress by dates and final disposition of each application.
- C. Before completing the application, each applicant will be required to review the Apprenticeship Standards and will be provided information about the program. If the applicant has any additional questions on the qualifications or needs additional information to complete the application, such information will be provided by the sponsor
- D. Receipt of the properly completed application form, along with required supporting documents (proof of age, driver's license, birth certificate or other acceptable documentation; copy of high school diploma, GED Certificate or other acceptable documentation) will constitute the completed application.
- E. Completed applications will be checked for minimum qualifications. Applicants deficient in one or more qualifications or requirements or making false statements on their application will be notified in writing of their disqualification.

The applicant will also be notified of the appeal rights available to them. No further processing of the application will be taken.

- F. Applicants meeting the minimum qualifications and submitting the required documents will be notified where and when to appear for an interview (if applicable).

Section III: Selection Procedures

- A. The Sponsor will schedule the interview (if applicable) and evaluation session. All applicants who have met the minimum qualifications and have submitted the required documents must be notified of the date, time, and place to appear.
- B. The interviewer(s) will rate each applicant during the interview on each of the factors on the applicant rating form considering the information on the application and required documents, if applicable. The interviewer will record the questions asked and the general nature of the applicant's answers. The interviewer will then prepare a written summary of his or her judgment of the applicant derived from the interview.
- C. After completing the interview and evaluation of the applicants, the individual rating scores of the interviewer(s) will be added together and averaged to determine the applicant's final rating.
- D. Applicants will be placed on a "Ranking List" according to their scores at the evaluation session, with the applicant having the highest score being at the top of the list, and all applicants then listed in descending order based on score.
- E. As openings for the registration of new apprentices occur, the highest ranked applicant will be notified of selection by telephone. It will be the responsibility of the applicant to keep the Sponsor informed of their current mailing address and telephone number.
- F. Selected applicants must respond to the notice of selection within thirty-six (36) hours of notice. If applicants cannot be reached by telephone, their names will be passed, and notice sent to their address by "Certified Mail - Return Receipt Requested" to determine if the applicants are still interested. If no response is received in fifteen (15) working days from the written notice, the applicant's name will be removed from the list. Only one certified notice will be mailed.
- G. Qualified applicants remaining on a preceding ranking list will automatically be carried forward on the new ranking list and slotted in wherever their rating score placed them for a period of two (2) years, unless the applicant has been removed from the list by their own written request or following failure to respond

to an apprentice opening. Applicants who were not placed during the two (2) year period that were on the ranking list, will be required to reapply.

- H. During the two-year period, applicants who feel that their qualifications have improved since their original rating may submit documented evidence of such additional experience or training and request reevaluation and rating at the next regular processing cycle.
- I. Youth who complete a Job Corps training program in any occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no apprentice opening is available, the Job Corps graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The Sponsor will evaluate the Job Corps training received for granting appropriate credit on the term of apprenticeship. Entry of Job Corps graduates will be done without regard to race, color, religion, national origin, or gender. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- J. Transfer of Apprenticeship Direct Entry. In order to transfer an apprenticeship agreement between participating employers (if applicable) of the Sponsor's registered 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.

The apprentice's employer must agree to the transfer.

The receiving employer must agree to accept the transfer.

The two employers must agree to the transfer.

The receiving employer will have complete access to all apprenticeship records pertaining to the transferring apprentice.

Upon being accepted by the receiving employer, the apprentice's existing Apprenticeship Agreement will be terminated.

Indenture proceedings will be initiated with the receiving employer and the Department of Labor and Industrial Relations will be provided with all documentation necessary and/or required to verify that the transfer is justifiable.

Apprentices accepted for transfer will be given full credit for on-the-job learning experience and related instruction successfully completed while indentured with the previous employer. The transferring apprentice must:

- a) Complete an application form, accurately responding to all questions.
 - b) Provide the receiving employer official documentation pertaining to their participation in the apprenticeship program with the previous employer.
 - c) An official copy of all records established with the sponsor (including a copy of the application form and the Apprenticeship Agreement properly registered with the Registration Agency) and other information submitted will be provided to the receiving employer. The receiving employer will examine all documentation submitted before granting permission to transfer. All such records will become part of the receiving employer permanent files.
- K. Veterans who completed military technical training school and participated in a registered apprenticeship program while in the military may be given direct entry into the apprenticeship program. The Sponsor/Employer will evaluate the military training received for granting appropriate credit on the term of apprenticeship and the appropriate wage rate. The Sponsor/Employer will determine what training requirements they need to meet to ensure they receive all necessary training for completion of the apprenticeship program. Entry of veterans will be done without regard to race, color, religion, national origin, or sex.

Section IV: Complaint Procedure

- A. Any apprentice or applicant for apprenticeship who believes that he /she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his /her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the Sponsor (if applicable).
- B. The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, and a brief description of the circumstances of the failure to apply equal opportunity standards.
- C. The complaint must be filed not later than 180 days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and, in the case of complaints filed directly with the review bodies designated by the Sponsor to review such complaints, any referral of such complaint by the

complainant to the Registration Agency must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.

- D. Complaints of harassment in the apprenticeship program may be filed and processed under Chapter 31, Title 12, Hawaii Administrative Rules or Title 29, CFR Part 30, and the procedures as set forth above.
- E. The Sponsor will provide written notice of their complaint procedure to all applicants for apprenticeship and all apprentices.

Section V: Maintenance of Records

The Sponsor will keep adequate records including a summary of the qualifications of each applicant, the basis for evaluation and for selection or rejection of each applicant, the records pertaining to interviews of applicants, the original application for each applicant, information relative to the operation of the apprenticeship program, including, but not limited to, job assignment, promotion, layoff, or termination, rates of pay or other forms of compensation or conditions of work, hours including hours of work and, separately, hours of training provided, and any other records pertinent to a determination of compliance with the regulations at Chapter 30, Title 12, Hawaii Administrative Rules and 29 CFR Part 30, as may be required by the U.S. Department of Labor. The records pertaining to individual applicants, selected or rejected, will be maintained in such manner as to permit the identification of minority and female (minority and nonminority) participants.

The Sponsor will retain a statement of its affirmative action plan for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analysis made, and maintain evidence that its qualification standards have been validated.

In addition to the above requirements, adequate records will include a brief summary of each interview and the conclusions on each of the specific factors, e.g., motivation, ambition, and willingness to accept direction which are part of the total judgment. Records will be maintained for 5 years from the date of last action and made available upon request by the Department of Labor and Industrial Relations, the U.S. Department of Labor or any other authorized representative.

Section VI: Official Adoption of Selection Procedures

The Sponsor hereby officially adopts these Selection Procedures on this
18th day of August, 2025.

Jonathan Perry

Signature

JONATHAN PERRY

Printed Name

CEO, HIGH REGARD

Title

VI. UNFINISHED BUSINESS

B. Policy and Procedures for Safety Reports

- State Apprenticeship Program Bulletin No. 01-11
- USDOL ETA, Office of Apprenticeship Circular 2021-02
- Maryland Ratio Subcommittee Revised Guidelines

State Apprenticeship Program Bulletin 01-11



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
WORKFORCE DEVELOPMENT DIVISION
830 PUNCHBOWL STREET, ROOM 329
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 588-8877 / Fax: (808) 588-8822
Email: dlii.workforce.develop@hawaii.gov

April 12, 2011

(SN 7)

STATE APPRENTICESHIP PROGRAM BULLETIN NO. 01-11

TO: Apprenticeship Program Sponsors
SUBJECT: Policy and Procedures for Safety Reports

PURPOSE

The purpose of this Bulletin is to confirm the policy and procedures for the submission of safety reports in relation to amended ratios for apprentices to journeyworkers.

BACKGROUND

An essential component of apprenticeship programs is the adequate supervision of apprentices by qualified journeyworkers to ensure their safety and provide the proper training.

An increased number of requests from program sponsors to reduce the number of journeyworkers overseeing apprentices prompted the State Apprenticeship Council to recommend that safety reports be submitted by sponsors so that a comparison could be made of the accident rates before and after the revised ratio was approved. Approvals for revised ratios were contingent on the sponsors submitting annual safety reports that indicated adequate supervision was being provided.

This Bulletin formalizes the requirements for these safety reports and establishes due dates for their submission.

POLICY

All sponsors who request or have received approval for apprentice to journeyworker ratios that reduce the number of journeyworkers per apprentice from the number in their approved Standards or Program Plans are required to follow the policy below.

1. Baseline Safety Reports

Requests for change in apprentice to journeyworker ratio in the apprenticeship standards must be accompanied by a baseline safety report which covers the 12-month period preceding the request. The baseline safety report should provide information on the number of work related accidents or injuries involving apprentices based on the current ratio, and the number of apprentices that are employed during the period.

Requests for change in apprentice to journeyworker ratio shall not be submitted for review before the State Apprenticeship Council until such time that the required baseline report is submitted.

2. Annual Safety Reports

Those sponsors whose requests to reduce the number of journeyworkers per apprentice from their approved standards must submit an annual safety report **within ninety (90) days** from the end of the calendar year being reported. This should give program sponsors sufficient time to gather and collate the reports from their participating employers. The reports must include the approved ratio, number of work related injuries and accidents involving apprentices, and the number of employed apprentices during the referenced year. Continued failure to submit the report shall result in the revocation of the revised ratio.

PROCEDURES

1. Safety Report Form

For both the baseline report and Annual Safety Reports, program sponsors shall use the Safety Report Form for Apprenticeship Programs (WDD-ASR Form 1), or any other safety report form that is being used by the sponsor, provided that the documents contain all the information required. The Safety Report Form for Apprenticeship Programs is enclosed.

2. Periods Covered

- A baseline report shall cover the period prior to the request for a revised ratio.

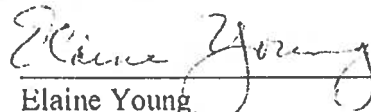
- The first Annual Safety Report shall cover the period beginning after the revised ratio was approved up to December 31 of that year.
- The second and *subsequent* Annual Safety Reports will cover the periods from January 1 to December 31 of each year.

3. Due Dates

The Annual Safety Reports are due within 90 days after the end of the calendar year being reported.

INQUIRIES

For questions about this Bulletin, please call Edgar Fernandez at 586-8814.


Elaine Young
Administrator

Enclosure

**ANNUAL SAFETY REPORT
For
APPRENTICESHIP PROGRAMS**

Apprenticeship Program _____

Period Covered: FROM _____ TO _____

Trade/Occupation	Approved Apprentice to Journeyworker Ratio	No. of Apprentices Working During the Period	Nature of Work-Related Accident/Injury	Days/Hours out of Work	Results

* Report must be prepared for each trade or occupation for which ratio change was approved, even if there were no injuries. Please use additional sheet if necessary.

Submitted By:

Signature

Date

Name

Title

**USDOL ETA, Office of
Apprenticeship Circular
2021-02**

U.S. Department of Labor Employment and Training Administration, Office of Apprenticeship Washington, D.C. 20210	Distribution: A-541 Headquarters A-544 All Field Tech A-547 SD+RD+SAA+; Lab.Com	Subject: Guidelines for Reviewing Apprentice to Journeyworker Ratio Requests Code: 500
Symbols: DRAP/MWJ		Action: Immediate

PURPOSE: To inform the staff of the Office of Apprenticeship (OA), State Apprenticeship Agencies (SAA), and Registered Apprenticeship program sponsors and potential sponsors about OA's policy and process for reviewing requests from program sponsors in federally-administered States to establish or revise their ratio of apprentices to journeyworkers pursuant to the applicable regulatory provision governing such ratios at Title 29 Code of Federal Regulations (CFR), section 29.5(b)(7). This circular is intended to articulate the methodology for OA's process to consider ratio requests in federally-administered States. The guidance will enable OA to ensure a consistent approach in making determinations on ratio requests from program sponsors and employers.

SCOPE AND APPLICABILITY: While this guidance is intended to establish a uniform process for the consideration of requests from program sponsors in federally-administered States to establish or revise their ratio of apprentices to journeyworkers, OA also takes the position that the general policy approach to evaluating ratio requests outlined herein can and should be adopted across the National Apprenticeship System. Accordingly, OA strongly encourages SAAs to adapt or align their own guidance on ratios to comport with this circular. Nothing in this circular shall operate to supersede any Federal or State laws establishing more stringent standards with respect to ratios of apprentices to journeyworkers than those elaborated herein. Similarly, nothing in this circular shall operate to supersede the limitations and conditions established at 29 CFR section 570.50 with respect to the employment, training, and supervision of 16- and 17-year old apprentices in certain occupations covered by the Secretary of Labor's Hazardous Occupation Orders (HOs), which are administered and enforced by the Department's Wage and Hour Division (WHD).

BACKGROUND: Under 29 CFR section 29.5(b)(7), to be eligible for approval and registration, a sponsor must include the following as a standard of apprenticeship:

A numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment, and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited by the collective bargaining agreements. The ratio language must be specific and clearly described as to its application to the job site, workforce, department or plant.

For clarification and to be consistent with 29 CFR section 29.5(b)(7), ratios are to be expressed as the number of apprentices to the number of journeyworkers, i.e., the format 1:2 would indicate "1 apprentice to 2 journeyworkers."

I. GENERAL OA POLICY ON RATIOS OF APPRENTICES TO JOURNEYWORKERS:

Consistent with the requirements of 29 CFR section 29.5(b)(7), the burden of justifying an appropriate ratio of apprentices to journeyworkers rests with the program sponsor, including new sponsors establishing a ratio or existing sponsors seeking modification of their program standards. While the safety of apprentices is an important consideration in determining the appropriate ratio of apprentices to journeyworkers, OA will also give due consideration and weight to proper supervision, proper training, and continuity of employment in evaluating a sponsor's ratio requests (particularly in connection with requests for expanded ratios, as defined below).

In its review of a request from an apprenticeship program sponsor (including any relevant joint labor-management apprenticeship programs governed by the terms of collective bargaining agreements discussed below at section II.A.6) for a particular ratio of apprentices to journeyworkers, OA will consider all relevant information in making such an evaluation, including the following: ratios for approved programs within the same occupations in the same geographic areas; ratio practices in the occupation on a national basis; the level of physical engagement; the level of supervision in similar environments, and relevant industry/occupational studies. All such requests will be reviewed on an individualized basis in light of the requirements of 29 CFR section 29.5(b)(7) and the guidance contained in this circular; all ratio decisions will identify the information and data used in reaching the decision.

OA has determined that a ratio of more than one apprentice to one journeyworker (e.g., two or more apprentices to one journeyworker) in any industry or occupation should be approved only upon a demonstration by the sponsor that such an expanded ratio poses little or no risk to the safety of workers (i.e., both apprentices and journeyworkers) in the workplace. The process outlined in this circular details those criteria, such as the hazards of an industry or occupation and the track record of the program sponsor, which will inform OA's ratio approval process and determinations.

II. ANALYTICAL FRAMEWORK OA WILL USE IN EVALUATING APPRENTICE-TO-JOURNEYWORKER RATIO REQUESTS FROM SPONSORS:

This section of the circular describes the approach that OA will use to review and evaluate ratio requests from new program sponsors establishing apprentice-to-journeyworker ratios, or from existing program sponsors requesting to modify previously-approved apprenticeship ratios:

- (a) Requests to create an expanded ratio, defined as the assignment of more than one apprentice to a journeyworker, such as moving from a 1:1 ratio to a 2:1 ratio (2 apprentices to 1 journeyworker); and
- (b) Requests to expand the number of apprentices assigned to a journeyworker after the first

apprentice assigned to that journeyworker has completed a minimum number of hours of supervision.

For purposes of this circular, each of the foregoing types of sponsor requests shall be regarded as requests for an **expanded ratio** of apprentices to journeyworkers.

Note: *A request by an existing program sponsor to modify a previously-approved ratio by **increasing** the number of journeyworkers assigned to an apprentice (such as changing from a 1:1 ratio to a 1:2 ratio) will generally be approved because such modification will likely satisfy the criteria established in 29 CFR section 29.5(b)(7).*

OA staff will apply the guidelines and factors listed below in Section II. A (Proper Safety and Supervision) and Section II.B (Proper Training and Continuity of Employment) in assessing the appropriate apprentice-to-journeyworker ratio for a sponsor's program:

A. Proper Safety and Supervision

As noted above, establishing an apprentice-to-journeyworker ratio that is conducive to ensuring the proper safety and supervision of apprentices in the workplace is of importance to OA. This is particularly true in instances where an apprentice may be exposed to work conditions, tasks, and/or equipment that pose a risk of serious bodily injury or death. In such cases, it is critically important that apprentices receive proper guidance and supervision from experienced and capable journeyworkers and/or supervisors who possess expert knowledge on how to mitigate such risks (please note that a journeyworker could also be the apprentice's supervisor, at least at a specific job site). Accordingly, in evaluating what constitutes an appropriate apprentice-to-journeyworker ratio for a program, consideration should be given to the level of supervision that will mitigate the risk of serious bodily injury or death in industry sectors or occupations that present such heightened dangers to new workers (see paragraphs II.A.1 and 2 below).

In addition to these considerations, the appropriate extent of apprentice supervision may depend in large part upon whether a close, direct, and ongoing one-on-one mentoring and supervisory relationship with a journeyworker is essential to acquiring the technical precision and practical skills required by the occupation. In this regard, OA staff may also consider additional relevant data, including the level of physical engagement, levels of supervision in similar environments, and industry/occupational studies in assessing the appropriate level of supervision. As proper safety and supervision of apprentices are largely interdependent, the approach below should be followed by OA staff in evaluating these factors.

- 1. New Apprenticeship Programs Registered by OA in High-Hazard Industry Sectors** - As of the effective date of this circular, programs that have been provisionally registered by OA on a national, State, or local basis, that operate in industry sectors with high rates of fatal work-related deaths (as defined in the paragraph immediately below), and that are being considered for permanent

registration pursuant to 29 CFR section 29.3(g) will need to provide OA with objective data that is sufficient to support the granting of an expanded apprentice-to-journeyworker ratio.

For purposes of this circular, an industry sector (as defined by utilizing the two-digit industry sector code assigned by the North American Industry Classification System (NAICS) Manual) with a high rate of fatal work related injuries is one that, utilizing the data compiled by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), has an average fatal work injury rate exceeding five (5) deaths per 100,000 full-time equivalent workers over the three (3) most recent calendar years for which such statistics are available.

Utilizing this empirical approach, new Registered Apprenticeship programs operating within the following four industry sectors would be subject to a heightened level of scrutiny with respect to their utilization of expanded ratios under this circular: (1) Construction; (2) Transportation and warehousing; (3) Mining, quarrying, and oil and gas extraction; and (4) Agriculture, forestry, fishing, and hunting. (For more information on the rate of fatal work injuries by industry sector, visit the BLS website at <https://www.bls.gov/iif/oshcfoi1.htm>, and the most current as of the date of this circular - <https://www.bls.gov/news.release/cfoi.t04.htm>). *Note - This list may vary based on the most current BLS data.* In this connection, apprenticeship programs falling within this category should furnish OA with objective data (examples provided below in section II.A.4) that is sufficient to justify the utilization of an expanded ratio.

2. **Existing Apprenticeship Programs Registered by OA in High-Hazard Industry Sectors** - For those apprenticeship programs that were previously registered by OA on a national, State, or local basis as of the date of this circular and that utilize expanded ratios in the industry sectors described in section II.A.1 above, such programs are also subject to monitoring by OA. In order to support their continued use of an expanded ratio, such existing programs should provide OA with the safety-related data described below in Section II.A.4 to verify that the sponsor's workplace continues to be safe for apprentices, and that the expanded apprentice-to-journeyworker ratio for the program remains appropriate.
3. **New and Existing Apprenticeship Programs Registered by OA in Other Industry Sectors** - New and existing apprenticeship programs that are seeking registration or have been registered by OA on a national, State, or local basis as of the date of this circular, that utilize or seek to utilize expanded ratios, and that do not operate within the high-hazard industry sectors described in section II.A.1 above may utilize them, provided that such programs demonstrate quality training, performance, and/or satisfactory completion rates (see section II.B. below), and also follow proper safety and training standards (see Section II.A.5 below).

Note - Existing, non-joint apprenticeship programs in relatively non-hazardous industries and occupations that request expanded ratios must still justify their use of an expanded ratio under the applicable criteria set forth in this circular and in 29 CFR

section 29.5(b)(7).

4. **Ongoing Safety Assessments of Program Sponsors Utilizing Expanded Ratios in High-Hazard Industry Sectors and/or Occupations** - In conducting reviews of programs that have been granted expanded ratios in high-hazard industry sectors and/or occupations, OA staff should consider the following objective sources of data in evaluating whether the maintenance of such an expanded ratio continues to be warranted:
 - Review of Form(s) 300 and/or Form(s) 300-A from the Department's Occupational Safety and Health Administration (OSHA) recording work-related injuries and illnesses, where applicable;
 - Proof that the sponsor has a current agreement with OSHA pursuant to the OSHA Alliance Program (for more information on this topic, please see the following link: <https://www.osha.gov/alliances/>)
 - A demonstration of adequate safety training in the apprenticeship program (via standards or curricula), including details on how the program's standards ensure that an apprentice receives direct supervision and training from a qualified journeyworker in a manner consistent with the requirements contained in 29 CFR §29.5(b)(7); and/or
 - Available worker's compensation insurance information or documentation.

In addition to this data, OA reserves the right to consider additional objective data in those limited instances where the foregoing data points are inconclusive in assessing overall program safety and quality.

5. **Work Related Accidents Involving Apprentices** - When informed of fatal accidents or serious injury of apprentices, OA should directly contact the sponsor regarding the incident in consultation with other DOL agencies as necessary and appropriate (i.e., OSHA and the Wage and Hour Division). In such instances, OA should conduct an Apprenticeship Program Review and determine if the sponsor was following the apprenticeship standards as developed, including whether the stipulated ratio of apprentices to journeyworkers was being adhered to, and whether proper safety and supervision protocols were being followed during the incident. If the program sponsor is found not following proper safety and training protocols, OA may require corrective action or take other appropriate actions (under 29 CFR section 29.8)
6. **Collective Bargaining Agreements (CBAs)** - As noted in 29 CFR section 29.5(b)(7), collective bargaining agreements may establish ratios of apprentices to journeyworkers, provided that such ratio language is specific and clearly describes its application to a job site, workforce, department, or plant.

Ratios established through collective bargaining agreements for joint labor-management apprenticeship programs are articulated in the approved program

standards and may be described in CBAs. All new and existing joint programs must submit a copy of the section(s) of the CBA relevant to ratios to the registration agency for review when requesting approval of new apprenticeship standards or a change to the ratio identified in currently approved apprenticeship standards. Additionally, programs not covered by a CBA, but operating in industries and inclusive of specific occupations covered by CBAs, may consider those CBAs as a justification for expanded ratios to the extent that these occupations and any related circumstances (e.g. other supervision or related training requirements) are directly comparable.

Please note that, pursuant to 29 CFR section 29.11(a), the processes laid out in this circular are not applicable to any provisions in CBAs governing joint labor-management programs that establish **more stringent** apprenticeship standards with respect to apprentice-to-journeyworker ratios than the minimum standards stipulated herein (i.e., CBA provisions that require the assignment of more than one journeyworker for each apprentice).

B. Proper Training and Continuity of Employment

To objectively analyze proper training and continuity of employment in connection with the establishment or modification of apprentice-to-journeyworker ratios, OA will utilize program completion rates, which a sponsor can provide and which OA can validate. Apprenticeship training consists of a combination of on-the-job learning (OJL) and related instruction (RI), as these terms are defined in 29 CFR section 29.2. The OJL usually takes place on the job site, and comprises the majority of time needed to complete an apprenticeship program. Apprenticeship training encompasses the learning of theoretical knowledge (through RI) and the development of technical skills that are vital to becoming a fully-qualified worker in a specific occupation. Effective apprenticeship OJL at the job site includes proper supervision and instruction to achieve the transfer of knowledge from a journeyworker to an apprentice.

The proper on-the-job training of apprentices (including training on safe workplace practices) is often closely connected to the proper supervision and mentoring of apprentices, particularly in apprenticeable occupations that require a rigorous practical training regimen. Proper training often will not only require that a journeyworker possess the skill to impart the practical skills required by an occupation, but also the capacity to effectively measure the apprentice's progress and provide effective feedback on performance.

As noted above, completion rates are a useful objective factor in assessing an apprentice's training and continuity of employment with a program sponsor. "Completion rate" is currently defined in 29 CFR section 29.2 as "the percentage of an apprenticeship cohort that receives a Certificate of Completion of Apprenticeship within one year of the projected completion date. An apprenticeship cohort is the group of individual apprentices registered to a specific program during a one-year time frame," except that a cohort does not include the apprentices whose agreement has been cancelled during the probationary period (per OA Bulletin 2015-10).

In conducting reviews of programs that have established expanded ratios, OA staff should consider reviewing a record of the program sponsor's apprentice completion rates for up to the previous 5 years.

III. OA PROCESS FOR APPROVING EXPANDED RATIOS IN BOTH NEW AND EXISTING PROGRAMS:

In evaluating a new or existing program's use of expanded ratios, OA will conduct an assessment of the quality and safety of the sponsor's program in light of the foregoing criteria. When a Regional OA office undertakes this assessment, the appropriate OA Regional Director will consult with other Regional Directors and/or National Office staff as appropriate before approving or declining an expanded ratio for a program. This consultative process will take into account the program sponsor's safety and apprenticeship completion rate, consistent with 29 CFR section 29.5 (b)(7) and this circular. In this connection, the OA Regional Director may consult with OSHA to confirm that any safety records furnished to OA are adequate evidence under the guidance to allow for such an expanded ratio. The OA Administrator will review and approve or disapprove National Program Standards (NPS) or National Guideline Standards (NGS) that seek to reduce the numbers of journeyworkers and /or that seek expanded ratios.

Note - OA will discuss with the program sponsor what ratio is appropriate for the occupation(s) under review going forward.

IV. RESCISSION OF A SPONSOR'S EXPANDED RATIO BY OA:

OA reserves the right to rescind previously-granted expanded ratios upon receipt of information that these ratios are not consistent with 29 CFR section 29.5(b)(7). Specifically, if the sponsor's safety record is considered unsatisfactory by OA, the journeyworker to apprentice ratio for the program may be recalibrated to a more appropriate ratio consistent with section 29.5(b)(7).

V. STATE APPRENTICESHIP AGENCY (SAA) RATIOS:

As noted above, nothing in this circular shall operate to supersede any Federal or State laws establishing more stringent standards with respect to ratios of apprentices to journeyworkers than those elaborated herein. However, OA notes that it may consider SAA alignment with the overall content and policy contained in this circular as a consideration for evaluating future federal investments to States in connection with registered apprenticeship initiatives. In this connection, OA will provide technical assistance to SAAs on issues related to ratio policy, as well as other state apprenticeship reform and modernization.

VI. GRANT SUPPORT FOR JOURNEYWORKER INVOLVEMENT IN REGISTERED APPRENTICESHIP PROGRAMS & OTHER RESOURCES:

As discussed above, the role of the journeyworker is a key component of registered apprenticeship programs, providing apprentices with critical supervision, training, and mentorship. OA notes that generally ETA-funded grant programs that target apprenticeships are able to support the journeyworker's time for the costs associated with mentoring apprentices enrolled in grants, in addition to other support for registered apprenticeship programs. OA encourages registered apprenticeship program sponsors to partner with DOL's employment and training grantees to identify these opportunities.

Additionally, the Workforce Innovation and Opportunity Act (WIOA) advances the use of apprenticeship as an effective work-based learning approach that builds worker skills and establishes pathways to higher levels of employment and wages. WIOA funds can be used in a variety of ways to help employers and apprentices. This includes reimbursement to employers for costs associated with the on-the-job training (OJT) component of an apprenticeship. OJT may be used with new hires and current (incumbent) workers already employed by the business. WIOA funds can also support apprentices with their related technical instruction and by providing supportive services that may help apprentices complete their program.

For more information on registered apprenticeship programs, including available federal resources please visit: <https://www.apprenticeship.gov/employers/registered-apprenticeship-program> and <https://www.apprenticeship.gov/investments-tax-credits-and-tuition-support>.

EFFECTIVE DATE:

This guidance is effective immediately upon issuance; it will remain in effect until rescinded.

ACTION:

This policy is intended to guide OA and program sponsors in Federally-administered states. OA staff should familiarize themselves with this Circular. If you have any questions, please contact Mark Judge, Supervisory Program Analyst, at (202) 693-3470. This document does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

NOTE:

This circular is being sent via electronic mail.

Maryland Ratio Subcommittee Revised Guidelines

Maryland Ratio Subcommittee Revised Guidance

Approved by the Maryland Apprenticeship and Training Council on July 12, 2022

PURPOSE: To inform the staff of the Maryland Apprenticeship and Training Program (MATP or Program), Maryland Apprenticeship and Training Council (Council), Registered Apprenticeship program sponsors, potential sponsors, and employers about Maryland's policy and process for reviewing requests from registered apprenticeship sponsors to establish or revise their ratio of apprentices to journeyworkers pursuant to the applicable regulatory provisions governing ratios at Code of Maryland Regulations (COMAR) 09.12.43. This guidance document is intended to articulate the methodology for the process to consider ratio requests for Maryland Apprenticeship and Training Council approved registered apprenticeship programs. The guidance will enable the Council and Program staff to ensure a consistent approach in making determinations on ratio requests from registered apprenticeship sponsors and employers.

SCOPE AND APPLICABILITY:

The Subcommittee examined Circular 2017-01, issued by the US Department of Labor (USDOL) January 9, 2017¹, USDOL Circular 2021-02, issued January 12, 2021, and Maryland's 2018 Ratio Subcommittee Guidance, approved by the Council on January 5, 2018.

The purpose of this Guidance is to provide a process for review of either the revision or establishment of ratios by Registered Apprenticeship program sponsors. In response to the issuance of Circular 2017-01 the Council approved a Ratio Subcommittee. The Subcommittee was tasked with ensuring that Maryland's Ratio Guidance was in compliance with Maryland and Federal law as both Maryland and Federal law requires that ratios set by apprenticeship sponsors be "consistent with proper supervision, training, safety, and continuity of employment". The Subcommittee recommended that a series of steps be followed by Registered Apprenticeship Sponsors, in making a request for an expansion of ratios beyond 1 apprentice to 1 journeyworker.

The Subcommittee produced the 2018 Ratio Subcommittee Guidance which was subsequently approved by the Council and implemented in 2018. The issuance of Circular 2021-02 by the USDOL created the need for the Ratio Subcommittee to be reinstated to review the new federal guidance in comparison with the existing Maryland guidance to ensure compliance.

The 2021-02 Circular is similar to the 2017-01 Circular in that the Circular has direct applicability to federally administered (OA) states. The guidance also provides recommendations and rationale for State Apprenticeship Agencies, like the Maryland Department of Labor (MD Labor) to consider.

¹ Circular 2017-01 was rescinded on November 20, 2018.

MARYLAND APPRENTICESHIP
AND TRAINING PROGRAM

JUL 12 2022

REGISTERED

This guidance is intended to establish a uniform process for the consideration of requests from program sponsors in Maryland to establish or revise their ratio of apprentices to journeyworkers. This guidance is designed to meet or exceed the USDOL Office of Apprenticeship's (OA) Circular and to ensure consistency with the federal approach to evaluating ratio requests and the guidance to adopt their approach across the National Apprenticeship System.

Nothing in this guidance shall operate to supersede the limitations and conditions established at 29 CFR section 570.50 or any state laws or regulations with respect to the employment, training, and supervision of 16- and 17-year old apprentices in certain occupations covered by the US Secretary of Labor's Hazardous Occupation Orders (HOs), which are administered and enforced by the USDOL's Wage and Hour Division (WHD) nor with any provisions of the Maryland Occupational Safety and Health Division. Additionally, this guidance was created to ensure compliance with the Circular 2021-02.

Any Registered Apprenticeship Sponsor approved for an expanded ratio (i.e., 2 apprentices to 1 journeyworker) shall not be permitted to utilize such expanded ratio for any apprentices who are under the age of 18 and registered through a School to Apprenticeship (STA) process.

BACKGROUND: COMAR 09.12.43.05 states that in order to be eligible for approval and registration, a sponsor must include the following as a standard of apprenticeship:

"H. Ratio of Journeypersons to Apprentices.

(1) Each program shall have a minimum ratio of one journeyperson regularly employed for one apprentice consistent with proper supervision, training, and continuity of employment and applicable provisions in collective bargaining agreements.

(2) Deviation from the minimum ratio, including the bargaining agreements, is not permitted unless first submitted to the Council in writing for its approval."

For clarification and to be consistent with COMAR 09.12.43.05, ratios are to be expressed as the number of apprentices to the number of journeyworkers, i.e., the format 1:2 would indicate "1 apprentice to 2 journeyworkers."

L.POLICY ON RATIOS OF APPRENTICES TO JOURNEYWORKERS:

A. Consistent with the requirements of COMAR 09.12.43, the burden of justifying an appropriate ratio of apprentices to journeyworkers rests with the program sponsor, including new sponsors² establishing a ratio or existing sponsors seeking modification of their program

² Throughout this document a "new sponsor" is one who has been approved by the Council but has yet to complete a minimum of one (1) complete cohort of registered apprentices.

standards. While the safety of apprentices is an important consideration in determining the appropriate ratio of apprentices to journeyworkers, MATP staff will also give due consideration and weight to proper supervision, proper training, and continuity of employment in evaluating a sponsor's ratio requests (particularly in connection with requests for expanded ratios) prior to presenting such requests to the Council for approval.

In its review of a request from a sponsor (including any relevant joint labor-management apprenticeship programs governed by the terms of collective bargaining agreements discussed below) for a particular ratio of apprentices to journeyworkers, staff will consider all relevant information, including but not limited to: ratios for approved programs within the same occupations in the same geographic areas; ratio practices in the occupation on a national basis; the level of physical engagement; the level of supervision in similar environments, and relevant industry/occupational studies. All such requests will be reviewed on an individualized basis in light of the requirements of COMAR 09.12.43 and the guidance contained in this document. All ratio recommendations shall identify the information and data used in reaching the recommendation.

Maryland agrees with the OA determination that an expanded ratio of more than one apprentice to one journeyworker (e.g., two or more apprentices to one journeyworker) in any industry or occupation should be approved only upon a demonstration by the sponsor that such an expanded ratio poses little or no risk to the safety of workers (i.e., both apprentices and journeyworkers) in the workplace. The process outlined in this guidance details those criteria, such as the hazards of an industry or occupation and the track record of the program sponsor, which will inform the MATP's and Council's ratio approval process and determinations.

B. In order to provide uniformity and consistency for all monitoring units, expanded ratios granted to a Sponsor shall not be utilized for Davis Bacon, Maryland Prevailing Wage, Maryland Stadium Authority, Providing Our Workers Education and Readiness (POWER) Act, Maryland county/municipal wage work or Project Labor Agreement (PLA) work. Standards of apprenticeship for any approved deviation shall include this language. A program sponsor approved for an expanded ratio under MATC's previous guidance is permitted to complete work on contracts submitted for bid or awarded PRIOR to the date of this guidance document's approval if otherwise permitted by the contract and state and federal law.

II. ANALYTICAL FRAMEWORK THAT WILL BE USED IN EVALUATING EXPANDED APPRENTICE-TO-JOURNEYWORKER RATIO REQUESTS FROM SPONSORS:

This section of the guidance describes the approach that the Council will use to review and evaluate ratio requests from new program sponsors establishing apprentice-to-journeyworker ratios, or from existing program sponsors requesting to modify previously approved apprenticeship ratios:

(A) Requests to create an expanded ratio, defined as the assignment of more than one

apprentice to a journeyworker, such as moving from a 1:1 ratio to a 2:1 ratio (2 apprentices to 1 journeyworker); and

(B) Requests to expand the number of apprentices assigned to a journeyworker after the first apprentice assigned to that journeyworker has completed a minimum number of hours of supervision.

For purposes of this guidance, each of the foregoing types of sponsor requests shall be regarded as requests for an **expanded ratio** of apprentices to journeyworkers.

Maryland Apprenticeship and Training (MATP) staff must apply the guidelines and factors listed below in Section II. A (Ratio Application Process), II.B (Proper Safety and Supervision) and Section II.C (Proper Training and Continuity of Employment) in assessing the appropriate apprentice-to-journeyworker ratio for a sponsor's program:

A. Ratio Application Process

In reviewing requests for expanded ratios of 2 apprentices (or more) to 1 journeyworker for registered hazardous occupations, a Sponsor must first submit a request to the staff of the MATP. The Sponsor must include certain information in their request. This information will include, at minimum:

1. List the individual occupation for which the Sponsor desires to change the ratio. A Sponsor may make multiple requested changes to multiple occupations. However, submissions cannot be combined into one request.
2. The Sponsor's reason for the requested deviation from the 1 apprentice to 1 journeyworker ratio previously established standards.
3. A self-assessment of the quality of their Registered Apprenticeship Program to include:
 - a. Percentage of those completing the program in the prior calendar year for the corresponding cohort of Apprentices;
 - b. Percentage of those transferring to other Registered Apprenticeship Programs, if known; and,
 - c. Documentation showing the Sponsor or Signatory/Participating employers have an Experience Modification Rate (EMR) of a .99 or below.
 - d. Submission of the most recent calendar year OSHA Form(s) 300-A
 - Forms 300 must be made available to MATP staff upon request should circumstances require a more in-depth review.

e. Submission of updated Employer Acceptance Agreements (EAA) and Employer Acceptance Supplements (EAS)

For a group program sponsor to apply for an expanded ratio the requirement is that 85% of all participating/signatory employers be in full compliance with all criteria established in this guidance. Examples include, but are not limited to, supplying EMR Forms showing a rating of .99 or below, providing Form(s) 300 and/or Forms(s) 300-A and current updated Employer Acceptance Agreements (EAA) and Employer Acceptance Supplements with accurate apprentice and journeyworker data.

B. Proper Safety and Supervision

Establishing an apprentice-to-journeyworker ratio that is conducive to ensuring the proper safety and supervision of apprentices in the workplace is of importance to the Council and MD Labor. This is particularly true in instances where an apprentice may be exposed to work conditions, tasks, and/or equipment that pose a risk of serious bodily injury or death. In such cases, it is critically important that apprentices receive proper guidance and supervision from experienced and capable journeyworkers and/or supervisors who possess expert knowledge on how to mitigate such risks (please note that a journeyworker could also be the apprentice's supervisor, at least at a specific job site). Accordingly, in evaluating what constitutes an appropriate apprentice-to-journeyworker ratio for a program, consideration should be given to the level of supervision that will mitigate the risk of serious bodily injury or death in industry sectors or occupations that present such heightened dangers to new workers (see paragraphs II.B.1 and 2 below).

In addition to these considerations, the appropriate extent of apprentice supervision will depend in large part upon whether a close, direct, and ongoing one-on-one mentoring and supervisory relationship with a journeyworker is essential to acquiring the technical precision and practical skills required by the occupation. In this regard, MATP staff must also consider additional relevant data, including the level of physical engagement, levels of supervision in similar environments, and industry/occupational studies in assessing the appropriate level of supervision when determining if an application for an expanded ratio should be presented by MATP staff to the Council for review and approval. As proper safety and supervision of apprentices are largely interdependent, the approach below must be followed by MATP staff in evaluating these factors.

For purposes of this guidance an industry sector (as defined by utilizing the two-digit industry sector code assigned by the North American Industry Classification System (NAICS) Manual) with a high rate of fatal work related injuries is one that, utilizing the data compiled by the U.S. Department of Labor's Bureau of Labor Statistics (BLS), has an average fatal work injury rate exceeding five (5) deaths per 100,000 full-time equivalent workers over the three (3) most recent calendar years for which such statistics are available.

Utilizing this empirical approach, new Registered Apprenticeship programs operating within the following four industry sectors would be subject to a heightened level of scrutiny with respect to their utilization of expanded ratios under this guidance: (1) Construction; (2) Transportation and warehousing; (3) Mining, quarrying, and oil and gas extraction; and (4) Agriculture, forestry, fishing, and hunting.

For more information on the rate of fatal work injuries by industry sector, visit the BLS website at <https://www.bls.gov/iif/oshcfoi1.htm>, and the most current as of the date of this circular - <https://www.bls.gov/news.release/cfoit04.htm>). *Note – This list may vary based on the most current BLS data.* Apprenticeship programs falling within this category should furnish the MATP staff with objective data (examples provided below in section II.A.4) that is sufficient to justify the utilization of an expanded ratio.

1. **New Apprenticeship Programs Registered by the Council in High-Hazard Industry Sectors** - As of the effective date of this guidance, Registered Apprenticeship programs that have been provisionally registered³ or newly⁴ registered by the Council that operate in industry sectors with high rates of fatal work-related deaths (as defined in the next paragraph), and that are being considered for permanent registration will not be eligible for an expanded ratio. New Sponsors with registered hazardous occupations will not be eligible to request ratios beyond 1:1 for occupations listed as hazardous in accordance with USDOL Circular 2021-02. In order to obtain the necessary information regarding program quality, a Sponsor must complete at least one cohort before being eligible to apply. (See II. C.)
2. **Existing Apprenticeship Programs Registered by the Council in High-Hazard Industry Sectors** - For those apprenticeship programs that were previously registered by the Council as of the date of this guidance and that have been approved to utilize expanded ratios in the industry sectors described in section II.A.1 above, such programs are also subject to monitoring by the Council and MATP staff. In order to support the continued use of an expanded ratio, existing programs shall provide the Council with the safety-related data described in Section II.A.4 annually to verify that the sponsor's workplace continues to be safe for apprentices, and that the expanded apprentice-to-journeyworker ratio for the program remains appropriate. For a group program sponsor to continue to be eligible for use of the expanded ratio the requirement is that 85% of all participating/signatory employers be in full compliance with all criteria established in this guidance.
3. **New and Existing Apprenticeship Programs Registered by the Council in Industry Sectors not included in the hazardous occupation definition** - New and existing apprenticeship programs that utilize or seek to utilize expanded ratios and that do not operate

³ "Provisionally registered" A provisionally registered apprenticeship program is one which has been approved by the Council, is within its first year of registration and has not been approved for full registration.

⁴ "Newly registered" is a program seeking approval for registration and requesting an expanded ratio within its initial cohort cycle.

within the high-hazard industry sectors described in section II.A.1 may request an expanded ratio. This request may be approved by the Council provided that such programs demonstrate quality training, performance, and/or satisfactory completion rates (see Section II.C), also follow proper safety and training standards (Section II.A.5) and receive approval from the Council.

Any program seeking an expanded ratio must still justify the use of an expanded ratio under the applicable criteria set forth in this guidance and in COMAR 09.12.43.

4. Safety Assessments of Program Sponsors Utilizing Expanded Ratios in High-Hazard Industry Sectors and/or Occupations - In conducting reviews of programs that have been granted expanded ratios in high-hazard industry sectors and/or occupations, MATP staff will consider the following objective sources of data in evaluating whether the maintenance of such an expanded ratio continues to be warranted:

- Review of Form(s) 300 and/or Form(s) 300-A from the Department's Occupational Safety and Health Administration (OSHA) recording work-related injuries and illnesses, where applicable;
- Copies of Form(s) 300-A must also be filed with MATP by the Sponsor
 - New employers who are unable to generate a 300-A form would not be eligible for participation in an expanded ratio.
 - Employers who have not previously reported; typically, due to having less than ten (10) employees, shall begin to file these reports with MATP if the program sponsor is requesting a ratio exemption.
- Proof that the sponsor has a current agreement with OSHA pursuant to the OSHA Alliance Program (for more information on this topic, please see the following link: <https://www.osha.gov/alliances/>) or with the Maryland Occupational Safety and Health (MOSH) equivalent OR the sponsor can demonstrate a fully implemented safety and health management system that includes employee input and employer commitment. Sponsors/companies with a Collective Bargaining Agreement must have commitment/participation from the union(s) in the process or waiver letters from the union waiving their right to participate in the safety program.
- A demonstration of adequate safety training in the apprenticeship program (via standards or curricula), including details on how the program's standards ensure that an apprentice receives direct supervision and training from a qualified journeyworker in a manner consistent with the requirements contained in COMAR 09.12.43; and:
- Experience Modification Reports (EMR) indicating a .99 or lower or;
- In examples such as government agencies where an EMR does not exist available worker's compensation insurance information or documentation acceptable to the MATP.

The above information and documentation will be submitted on an annual basis to MATP staff no later than September 1st of each year. For a group program sponsor to continue to be eligible for use of the expanded ratio the requirement is that 85% of all participating/signatory employers be in full compliance with all criteria established in this guidance.

In addition to this data, the MATP reserves the right to consider additional objective data in those instances where the foregoing data points are inconclusive in assessing overall program safety and quality.

5. Work Related Accidents Involving Apprentices - Despite the fact that MOSH has included the Director of the Maryland Apprenticeship and Training Program on the notification list for fatalities, all sponsors and/or participating/signatory employers participating in a program with an expanded ratio shall notify the Director of the Maryland Apprenticeship and Training Program within 72 hours of a serious incident or fatality. **This reporting requirement is in addition to the existing MOSH requirement that employers report to MOSH any fatality within 8 hours and any serious injury, as defined, within 24 hours.**

When informed of fatal accidents or serious injury⁵ of apprentices, the MATP shall directly contact the sponsor regarding the incident in consultation with other agencies as necessary and appropriate (i.e., OSHA, MOSH or the Maryland Division of Labor and Industry). In such instances, the MATP shall conduct an Apprenticeship Program Review and determine if the sponsor was following the apprenticeship standards as developed, including whether the stipulated ratio of apprentices to journeyworkers was being adhered to, and whether proper safety and supervision protocols were being followed during the incident. If the program sponsor is found not following proper safety and training protocols, the MATP/Council will require corrective action or take other appropriate actions to include revocation of the expanded ratio or deregistration of the Sponsor (under COMAR 09.12.43).

6. Collective Bargaining Agreements (CBAs) - Nothing in this guidance will serve to invalidate any apprenticeship provision in any collective bargaining agreement between employers and employees setting more stringent apprenticeship standards however any requests for an expanded ratio must follow each process identified in this guidance document.

Ratios established through collective bargaining agreements for joint labor-management apprenticeship programs are articulated in the approved program standards and may be described in CBAs. All new and existing joint programs must submit a copy of the CBA relevant to ratios to MATP for review when requesting approval of new apprenticeship standards or a

⁵ A "Serious injury" requiring a report to MATP's Director is all severe work-related injuries, defined as an amputation, in-patient hospitalization, or loss of an eye.

change to the ratio identified in currently approved apprenticeship standards should it require an expanded ratio beyond 1:1.

The processes noted in this guidance are not applicable to any provisions in CBAs that establish **more stringent** apprenticeship standards with respect to apprentice-to-journeyworker ratios than the minimum standards stipulated herein (i.e., CBA provisions that require the assignment of more than one journeyworker for each apprentice).

C. **Proper Training and Continuity of Employment**

To objectively analyze proper training and continuity of employment in connection with the establishment or modification of apprentice-to-journeyworker ratios, the MATP will utilize program completion rates, to determine that a Sponsor has a high-quality program with high completion rates.

To ensure the Sponsor has a high-quality program with high completion rates the MATP staff will evaluate the Sponsors most recent Compliance or Quality Review. If a review has not taken place within two years of an application for an expanded ratio, a review will be scheduled and conducted prior to the MATP Staff completing an assessment of the application to determine if the request is eligible for a recommendation to the Council. Findings or other deficiencies must be corrected prior to the request being recommended to the Council.

Programs with a historically low completion rate or with a low completion rate in their most recent Compliance or Quality Review are not eligible for an expanded ratio regardless of the occupation being requested. Requests for an expanded ratio will not be recommended to the Council until such time as a satisfactory completion rate can be demonstrated. A program with a consistent record of low performance will be required to complete a minimum of one and a maximum of three cohorts of apprentices as determined by the Director of the MATP to show a satisfactory completion rate.

Should a Sponsor be approved for an expanded ratio, the program will be reviewed during the first year after approval, to establish that safety, quality and continuity of training and completion rates are not being negatively impacted by the increase in the ratio.

In any event, the Sponsor has the obligation of ensuring the Apprentices continue to work and receive On-the-Job Learning (OJL) and Related Instruction (RI) to the same extent as if the ratio were to remain at the traditional 1:1.

Apprenticeship training consists of a combination of OJL and RI. The OJL usually takes place on the job site and comprises the majority of time needed to complete an apprenticeship program. Apprenticeship training encompasses the learning of theoretical knowledge (through RI) and the development of technical skills that are vital to becoming a fully qualified worker in a specific occupation. Effective apprenticeship OJL at the job site includes proper supervision and instruction to achieve the transfer of knowledge from a journeyworker to an

apprentice.

The proper on-the-job training of apprentices (including training on safe workplace practices) is often closely connected to the proper supervision and mentoring of apprentices, particularly in apprenticeable occupations that require a rigorous practical training regimen. Proper training often will not only require that a journeyworker possess the skill to impart the practical skills required by an occupation, but also the capacity to effectively measure the apprentice's progress and provide effective feedback on performance.

As noted above, completion rates are a useful objective factor in assessing an apprentice's training and continuity of employment with a program sponsor. "Completion rate" is defined as "the percentage of an apprenticeship cohort that receives a Certificate of Completion of Apprenticeship within one year of the projected completion date. An apprenticeship cohort is the group of individual apprentices registered to a specific program during a one-year time frame, except that a cohort does not include the apprentices whose agreement has been cancelled during the probationary period." ⁶

In conducting reviews of programs that have established expanded ratios, MATP staff shall review a record of the program sponsor's historical apprentice completion rates as well as the most recent cohorts for the previous 5 years.

If deficiencies/negative impacts are identified during the initial program review of the ratio expansion, the Sponsor will receive the opportunity to correct the deficiency at the direction of the Council. If the deficiency is not corrected in accordance with the Council's directive, the Sponsor's journeyworker to apprentice ratio will revert back to the previously recognized ratio of 1:1. If a sponsor's ratio is reverted, the sponsor is then ineligible to request another deviation for a period of one full cohort. If a ratio reverts back to 1:1 and causes the dislocation of apprentices, the Council and MD Labor will offer reemployment assistance to the impacted apprentices. Should deficiencies be noted in subsequent program reviews the aforementioned criteria and processes remain applicable.

D. **PROGRAMS IN INACTIVE STATUS** A program in "inactive status" is defined as not having a registered apprentice involved in an on-the-job training or related instruction activity for a 1-year period per COMAR 09.12.43.13. Programs reactivated pursuant to COMAR 09.12.43.13 are not eligible for an expanded ratio until one full cohort of apprentices is completed after reactivation as defined in II.C above.

III. PROCESS FOR APPROVING EXPANDED RATIOS:

⁶ OA Bulletin 2015-10.

Upon receipt of the initial request for Expanded Ratio, applications will be reviewed by MATP to assure compliance with related requirements as outlined in this Revised Guidance. Once staff has gathered the required documentation and completed the review, a request will be submitted to the MATP Director.

The MATP Director will conduct an assessment of quality and safety of the sponsor's program in light of all criteria contained in this guidance. The MATP Director will consult with OSHA/MOSH to confirm that all safety records furnished are adequate evidence under the guidance to allow an expanded ratio. The MATP Director will determine if the request complies with this guidance and is eligible for consideration of an expanded ratio will refer the request to the Council for final review and approval.

IV. RESCISSION OF A SPONSOR'S EXPANDED RATIO:

The Council reserves the right to rescind previously granted expanded ratios upon receipt of information that these ratios are not consistent with, or not being used correctly with, their approved Standards of Apprenticeship, COMAR or this guidance document. Examples of factors which could lead to a rescission of an expanded ratio include but are not limited to, the sponsor's safety record, completion rates or diversity goals (as required by COMAR 09.12.42) Should factors such as these be considered unsatisfactory by the Council, the expanded journeyworker to apprentice ratio for the program may be revoked and restored to the 1:1 ratio.

V. COMPLIANCE WITH STATE AND FEDERAL LAW

As noted above, nothing in this guidance shall operate to supersede any Federal or State laws establishing more stringent standards with respect to ratios of apprentices to journeymen than those elaborated herein. OA has noted that it may consider SAA alignment with the overall content and policy contained in Circular 2021-02 as a consideration for evaluating future federal investments to States in connection with registered apprenticeship initiatives. This guidance has been designed to ensure compliance with USDOL Circular 2021-02 and any/all existing Federal or State Regulations.

EFFECTIVE DATE:

This guidance is effective immediately upon Council approval and replaces the Ratio Guidance from 2018. This guidance will remain in effect until rescinded.

ACTION:

This policy is intended to advise the Maryland Apprenticeship and Training Program (MATP), Maryland Apprenticeship and Training Council (Council), and Registered Apprenticeship

program sponsors and potential sponsors about Maryland's policy and process for reviewing requests from program sponsors to establish or revise their ratio of apprentices to journeyworkers pursuant to the applicable regulatory provision governing ratios at Code of Maryland Regulations 09.12.43. All staff, sponsors, and the Council should familiarize themselves with this guidance.

If you have any questions, please contact staff at the MATP at: info@mdapprenticeship.com.