

Chapter 49.04 RCW
APPRENTICESHIP

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RCW 49.04.010 Regulatory apprenticeship council created—

Composition—Terms—Compensation—Duties. (1) The department of labor and industries is the agency with responsibility and accountability for apprenticeship within the state for federal purposes. The director of labor and industries shall appoint a regulatory apprenticeship council, composed of three representatives each from employer and employee organizations, respectively. The terms of office of the members of the apprenticeship council first appointed by the director of labor and industries shall be as follows: One representative each of employers and employees shall be appointed for one year, two years, and three years, respectively. Thereafter, each member shall be appointed for a term of three years. The director of labor and industries shall also appoint a public member to the apprenticeship council for a three-year term. Each member shall hold office until a successor is appointed and has qualified and any vacancy shall be filled by appointment for the unexpired portion of the term. A designated representative from each of the following: The workforce training and education coordinating board, state board for community and technical colleges, employment security department, and United States department of labor, apprenticeship, training, employer, and labor services, shall be ex officio members of the apprenticeship council. Ex officio members shall have no vote. Each member of the council, not otherwise compensated by public moneys, shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 and shall be compensated in accordance with RCW 43.03.240.

(2) The apprenticeship council is authorized to approve apprenticeship programs, and establish apprenticeship program standards as rules, including requirements for apprentice-related and supplemental instruction, coordination of instruction with job experiences, and instructor qualifications. The council shall consider recommendations from the state board for community and technical colleges on matters of apprentice-related and supplemental instruction, coordination of instruction with job experiences, and instructor qualifications. The rules for apprenticeship instructor qualifications shall either be by reference or reasonably similar to the applicable requirements established by or pursuant to chapter 28B.50 RCW. The director is authorized to adopt rules as may be necessary to carry out the intent and purposes of this chapter, after consultation with the council and receiving the council's recommendations, including a procedure to resolve an impasse should a tie vote of the council occur, and perform such other duties as are hereinafter imposed.

(3) Not less than once a year the apprenticeship council shall make a report to the director of labor and industries of its activities and findings which shall be available to the public. [2011

1st sp.s. c 21 s 22; 2011 c 308 s 1; 2001 c 204 s 1; 1984 c 287 s 97; 1982 1st ex.s. c 39 s 2; 1979 ex.s. c 37 s 1; 1977 c 75 s 72; 1975-'76 2nd ex.s. c 34 s 143; 1967 c 6 s 1; 1961 c 114 s 1; 1941 c 231 s 1; Rem. Supp. 1941 s 7614-3. Formerly RCW 49.04.010 and 49.04.020.]

Reviser's note: This section was amended by 2011 c 308 s 1 and by 2011 1st sp.s. c 21 s 22, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2011 1st sp.s. c 21: See note following RCW 72.23.025.

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 49.04.030 Supervisor of apprenticeship—Duties. The director of labor and industries shall appoint and deputize an assistant director to be known as the supervisor of apprenticeship. Under the supervision of the director of labor and industries and with the advice and guidance of the apprenticeship council, the supervisor shall: (1) Encourage and promote apprenticeship programs conforming to the standards established under this chapter, and in harmony with the policies of the United States department of labor; (2) act as secretary of the apprenticeship council and of state apprenticeship committees; (3) when authorized by the apprenticeship council, register apprenticeship agreements that are in the best interests of the apprentice and conform with standards established under this chapter; (4) keep a record of apprenticeship agreements and upon successful completion issue certificates of completion of apprenticeship; (5) when authorized by the council, terminate or cancel any apprenticeship agreements in accordance with the provisions of the agreements; and (6) conduct reviews for compliance with this chapter, rules established under this chapter, and 29 C.F.R. Parts 29 and 30.

The supervisor may act to bring about the settlement of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally. The director of labor and industries is authorized to appoint such other personnel as may be necessary to aid the supervisor of apprenticeship in the execution of the supervisor's functions under this chapter. [2011 c 308 s 2; 2001 c 204 s 2; 1979 ex.s. c 37 s 2; 1961 c 114 s 2; 1941 c 231 s 2; Rem. Supp. 1941 s 7614-4.]

Rehabilitation services for individuals with disabilities: Chapter 74.29 RCW.

RCW 49.04.035 Supervisor of apprenticeship—Compliance verification. (1) In addition to the duties established under RCW 49.04.030, the supervisor of apprenticeship must verify compliance by contractors, subcontractors, and awarding agencies of apprenticeship utilization requirements. The supervisor may coordinate with the

department of enterprise services, the state department of transportation, the office of the superintendent of public instruction, and any other appropriate agency or organization to assist in tracking compliance.

(2) Compliance information must be made available to the apprenticeship council and must be used to determine compliance for purposes of RCW 39.04.350 and 39.12.055.

(3) The director of labor and industries must adopt rules to implement this section. [2018 c 244 s 2.]

Effective date—2018 c 244: See note following RCW 39.04.320.

RCW 49.04.040 Apprenticeship committees—Composition—Duties.

Upon July 22, 2001, all newly approved apprenticeship programs must be represented by either a unilateral or joint apprenticeship committee. Apprenticeship committees must conform to this chapter, the rules adopted under this chapter, and 29 C.F.R. Parts 29 and 30 and must be approved by the apprenticeship council. Such apprenticeship committees shall be composed of an equal number of employer and employee representatives who may be chosen:

(1) From names submitted by the respective local or state employer and employee organizations served by the apprenticeship committee; or

(2) In a manner which selects representatives of management and nonmanagement served by the apprenticeship committee. The council may act as the apprentice representative when the council determines there is no feasible method to choose nonmanagement representatives.

Apprenticeship committees shall devise standards for apprenticeship programs and operate such programs in accordance with the standards established by this chapter and by rules adopted under this chapter. The council and supervisor may provide aid and technical assistance to apprenticeship program sponsors and applicants, or potential applicants. [2011 c 308 s 3; 2001 c 204 s 3; 1941 c 231 s 3; Rem. Supp. 1941 s 7614-5.]

RCW 49.04.050 Apprenticeship program standards. (1) To be eligible for registration, apprenticeship program standards must conform to the rules adopted under this chapter.

(2) The apprenticeship council must require new apprenticeship programs seeking approval to provide an assessment for future sustainability of the program.

(3) When evaluating applications for new apprenticeship programs, the apprenticeship council must consider whether graduating apprentices will move toward a living wage, the availability of a career ladder to graduating apprentices, or the existence of other nonwage benefits as factors in the approval process.

(4) The apprenticeship council must annually report to the appropriate committees of the legislature a list of apprenticeship programs that have applied for state approval, whether those applicant apprenticeship programs have been approved or not approved, and the reasons for any denials of approval by the apprenticeship council. The apprenticeship council must provide its first report to the legislature by December 15, 2022. [2022 c 156 s 4; 2011 c 308 s 4;

2001 c 204 s 4; 1979 ex.s. c 37 s 3; 1961 c 114 s 3; 1941 c 231 s 4; Rem. Supp. 1941 s 7614-6.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.060 Apprenticeship agreements. For the purposes of this chapter an apprenticeship agreement is a written agreement between an apprentice and either the apprentice's program sponsor, or an apprenticeship committee acting as agent for a program sponsor, containing the terms and conditions of the employment and training of the apprentice. [2011 c 308 s 5; 2001 c 204 s 5; 1941 c 231 s 5; Rem. Supp. 1941 s 7614-7.]

RCW 49.04.065 Decisions of apprenticeship council—Appeal to director of labor and industries—Judicial appeal. (1) Any decision of the apprenticeship council affecting registration and oversight of apprenticeship programs and agreements for federal purposes may be appealed to the director of labor and industries by filing a notice of appeal with the director within thirty days of the apprenticeship council's written decision. Any decision of the council affecting registration and oversight of apprenticeship programs and agreements for federal purposes not appealed within thirty days is final and binding, and not subject to further appeal.

(2) Upon receipt of a notice of appeal, the director or designee shall review the record created by the council and shall issue a written determination including his or her findings. A judicial appeal from the director's determination may be taken in accordance with chapter 34.05 RCW.

(3) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal. [2011 c 308 s 6.]

RCW 49.04.070 Limitation. The provisions of this chapter shall apply to a person, firm, corporation or craft only after such person, firm, corporation or craft has voluntarily elected to conform with its provisions. [1941 c 231 s 6; Rem. Supp. 1941 s 7614-8.]

RCW 49.04.080 On-the-job training agreements and projects—Supervisor to promote. Under the supervision of the director of labor and industries and with the advice and guidance of the apprenticeship council, the supervisor of apprenticeship shall encourage and promote the making of such other types of on-the-job training agreements and projects, in addition to apprenticeship agreements, as the supervisor shall find meritorious. [2001 c 204 s 6; 1963 c 172 s 1.]

RCW 49.04.090 On-the-job training agreements and projects—Agreements with federal agencies. The director of labor and industries shall have authority to enter into and perform, through the supervisor of apprenticeship, agreements with appropriate federal departments or agencies for the development, administration and servicing of on-the-job training projects. Further, the director of

labor and industries, through the supervisor of apprenticeship, shall have power to receive and administer funds provided by the federal government for such purposes. [1963 c 172 s 2.]

RCW 49.04.100 Apprenticeship programs—Civil rights act advancement. As provided by the rules adopted by the apprenticeship council, apprenticeship programs entered into under authority of this chapter with five or more apprentices shall conform with 29 C.F.R. Part 30 to the extent required by federal law while advancing the nondiscriminatory principles of the Washington state civil rights act, RCW 49.60.400. [2001 c 204 s 7; 1995 c 67 s 7; 1990 c 72 s 1; 1985 c 6 s 17; 1969 ex.s. c 183 s 2.]

Purpose—Construction—1990 c 72; 1969 ex.s. c 183: "It is the policy of the legislature and the purpose of this act to provide every citizen in this state a reasonable opportunity to enjoy employment and other associated rights, benefits, privileges, and to help women and racial minorities realize in a greater measure the goals upon which this nation and this state were founded. All the provisions of this act shall be liberally construed to achieve these ends, and administered and enforced with a view to carry out the above declaration of policy." [1990 c 72 s 5; 1969 ex.s. c 183 s 1.]

Severability—1969 ex.s. c 183: "If any provision of this 1969 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1969 ex.s. c 183 s 8.]

RCW 49.04.110 Woman and racial minority representation in apprenticeship programs—Noncompliance. When it shall appear to the department of labor and industries that any apprenticeship program referred to in RCW 49.04.100 has failed to comply with the woman or racial minority representation requirement hereinabove in such section referred to by January 1, 1970, which fact shall be determined by reports the department may request or in such other manner as it shall see fit, then the same shall be deemed prima facie evidence of noncompliance with RCW 49.04.100 through 49.04.130 and thereafter no state funds or facilities shall be expended upon such program: PROVIDED, That prior to such withdrawal of funds evidence shall be received and state funds or facilities shall not be denied if there is a showing of a genuine effort to comply with the provisions of RCW 49.04.100 through 49.04.130 as to entrance of women and racial minorities into the program. The director shall notify the appropriate federal authorities if there is noncompliance with the woman and racial minority representation qualification under any apprenticeship program as provided for in RCW 49.04.100 through 49.04.130. [1990 c 72 s 2; 1969 ex.s. c 183 s 3.]

RCW 49.04.120 Woman and racial minority representation—Community colleges, vocational, or high schools to enlist woman and racial minority representation in apprenticeship programs. Every community college, vocational school, or high school carrying on a program of vocational education shall make every effort to enlist

woman and racial minority representation in the apprenticeship programs within the state and are authorized to carry out such purpose in such ways as they shall see fit. [1990 c 72 s 3; 1969 ex.s. c 183 s 4.]

RCW 49.04.130 Woman and racial minority representation—Employer and employee organizations, apprenticeship council and committees, etc., to enlist woman and racial minority representation in apprenticeship programs. Every employer and employee organization as well as the apprenticeship council and local and state apprenticeship committees and vocational schools shall make every effort to enlist woman and racial minority representation in the apprenticeship programs of the state and shall be aided therein by the department of labor and industries insofar as such department may be able to so do without undue interference with its other powers and duties. In addition, the legislature, in fulfillment of the public welfare, mandates those involved in apprenticeship training with the responsibility of making every effort to see that woman and racial minority representatives in such programs pursue the same to a successful conclusion. [1990 c 72 s 4; 1969 ex.s. c 183 s 5.]

RCW 49.04.141 Transportation opportunities—Report. The apprenticeship council shall work with the department of transportation, local transportation jurisdictions, local and statewide joint apprenticeships, other apprenticeship programs, representatives of labor and business organizations with interest and expertise in the transportation workforce, and representatives of the state's universities and community and vocational colleges to establish technical apprenticeship opportunities specific to the needs of transportation. The council shall issue a report of findings and recommendations to the transportation committees of the legislature by December 1, 2003. The report must include, but not be limited to, findings and recommendations regarding the establishment of transportation technical training programs within the community and vocational college system and in the state universities. [2003 c 363 s 202.]

Findings—Intent—2003 c 363 ss 201 through 206: "(1) The legislature finds that a skilled technical workforce is necessary for maintaining, preserving, and improving Washington's transportation system. The Blue Ribbon Commission on Transportation found that state and local transportation agencies are showing signs of a workforce that is insufficiently skilled to operate the transportation system at its highest level. Sections 201 through 206 of this act are intended to explore methods for fostering a stronger industry in transportation planning and engineering.

(2) It is the intent of the legislature that the state prevailing wage process operate efficiently, that the process allow contractors and workers to be paid promptly, and that new technologies and innovative outreach methods be used to enhance wage surveys in order to better reflect current wages in counties across the state.

(3) The legislature finds that in order to enhance the prevailing wage process it is appropriate for all intent and affidavit fees paid

by contractors be dedicated to the sole purpose of administering the state prevailing wage program.

(4) To accomplish the intent of this section and in order to enhance the response of businesses and labor representatives to the prevailing wage survey process, the department of labor and industries shall undertake the following activities:

(a) Establish a goal of conducting surveys for each trade every three years;

(b) Actively promote increased response rates from all survey recipients in every county both urban and rural. The department shall provide public education and technical assistance to businesses, labor representatives, and public agencies in order to promote a better understanding of prevailing wage laws and increased participation in the prevailing wage survey process;

(c) Actively work with businesses, labor representatives, public agencies, and others to ensure the integrity of information used in the development of prevailing wage rates, and ensure uniform compliance with requirements of sections 201 through 206 of this act;

(d) Maintain a timely processing of intents and affidavits, with a target processing time no greater than seven working days from receipt of completed forms;

(e) Develop and implement electronic processing of intents and affidavits and promote the efficient and effective use of technology to improve the services provided by the prevailing wage program." [2003 c 363 s 201.]

Part headings not law—Severability—2003 c 363: See notes following RCW 47.28.241.

RCW 49.04.150 Associate degree pathway. (1) An apprenticeship committee may recommend to its community or technical college partner or partners that an associate degree pathway be developed for the committee's program.

(2) In consultation with the state board for community and technical colleges, the apprenticeship committee and the college or colleges involved with the program shall consider the extent apprentices in the program are likely to pursue an associate degree and the extent a pathway could reduce redundancy of course requirements between the apprenticeship and a degree.

(3) If the apprenticeship committee and the college or colleges involved with the program determine that a pathway would be beneficial for apprentices and assist them in obtaining an associate degree, the apprenticeship committee may request that a pathway be established as provided in RCW 28B.50.890. [2003 c 128 s 2.]

Findings—2003 c 128: "The legislature finds that:

(1) Apprenticeships are very rigorous and highly structured programs with specific academic and work training requirements;

(2) There is a misperception that apprenticeships are only for noncollege bound students; and

(3) The state should expand opportunities for individuals to progress from an apprenticeship to college by creating pathways that build on the apprenticeship experience and permit apprentices to earn an associate degree." [2003 c 128 s 1.]

RCW 49.04.160 Student opportunities—Findings. (1) The legislature finds that it is in the public interest of the state to encourage and facilitate the formation of cooperative relationships between business and labor and educational institutions that provide for the development and expansion of programs of educational skills training consistent with employment needs.

(2) Further, the legislature finds that it is in the state's interest to make students aware of the educational training programs and career employment opportunities.

(3) Therefore, the following shall be implemented to expand opportunities for secondary school students to prepare for technical careers and related apprenticeships:

(a) Centers of excellence and other colleges with a high density of apprenticeship programs shall act as brokers of relevant information and resources as provided for in RCW 49.04.170;

(b) An educational outreach program coordinated by the Washington state apprenticeship and training council as provided for in RCW 49.04.180; and

(c) The development of direct-entry programs for graduating secondary students, approved and overseen by the Washington state apprenticeship and training council as provided for in RCW 49.04.190. [2006 c 161 s 1.]

Effective date—2006 c 161: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect April 1, 2006." [2006 c 161 s 7.]

RCW 49.04.170 Student opportunities—Centers of excellence, colleges to provide information. (1) Centers of excellence, as designated by the state board for community and technical colleges, and other colleges identified by the state board for community and technical colleges in consultation with the Washington state apprenticeship and training council as having a high density of apprenticeship programs, shall act as a broker of relevant information and resources on available grants, scholarship opportunities, job openings, and industries of growth.

(2) The Washington state apprenticeship and training council, in conjunction with the office of the superintendent of public instruction, shall aid all local school districts in meeting the goals of chapter 161, Laws of 2006. [2006 c 161 s 2.]

Effective date—2006 c 161: See note following RCW 49.04.160.

RCW 49.04.180 Student opportunities—Educational outreach program—Appropriate activities. (1) Within existing resources, the Washington state apprenticeship and training council, in conjunction with individual state-approved apprenticeship training programs and the office of the superintendent of public instruction, shall lead and coordinate an educational outreach program for middle and secondary school students, parents, and educators about apprenticeship and career opportunities and communicate workforce projections to the office of the superintendent of public instruction for distribution to all local school districts.

(2) Appropriate activities of the Washington state apprenticeship and training council under this section include assistance with curriculum development, the establishment of practical learning opportunities for students, and seeking the advice and participation of industry and labor interests. [2006 c 161 s 3.]

Effective date—2006 c 161: See note following RCW 49.04.160.

RCW 49.04.190 Student opportunities—Building and construction-related apprenticeships—Grants—Report. (1) Within existing resources, the Washington state apprenticeship and training council shall approve and oversee direct-entry programs for graduating secondary students into building and construction-related apprenticeships by:

(a) Assisting individual school districts in using and leveraging existing resources; and

(b) Developing guidelines, including guidelines that ensure that graduating secondary school students will receive appropriate education and training and will have the opportunity to transition to local apprenticeship programs. The guidelines must be developed with input from apprenticeship coordinators, the office of the superintendent of public instruction, the state board for community and technical colleges, the workforce training and education coordinating board, and other interested stakeholders for direct-entry programs.

(2) The Washington state apprenticeship and training council shall award up to ten incentive grants for the 2006-07 school year, based on guidelines established under subsection (1)(b) of this section, to school districts statewide solely for personnel to negotiate and implement agreements with local apprenticeship programs based upon state apprenticeship use requirements, as described in RCW 39.04.320, to accept graduating secondary school students with appropriate training into apprenticeship programs. The council shall make every effort to award the grants evenly across the state.

(3) For any year in which grants are awarded in accordance with this section, the Washington state apprenticeship and training council shall provide a report to the governor and the education and commerce and labor committees of the legislature. The report shall include:

(a) The guidelines established under subsection (1)(b) of this section;

(b) The names of the school districts receiving incentive grants under subsection (2) of this section;

(c) The results of negotiations between school districts receiving incentive grants and local apprenticeship programs;

(d) A list of apprenticeship programs that have agreed, pursuant to negotiated agreements, to accept qualified graduating secondary students; and

(e) The number of qualified graduating secondary students entering into apprenticeship programs each year through direct-entry programs. [2016 c 197 s 5; 2006 c 161 s 4.]

Effective date—2006 c 161: See note following RCW 49.04.160.

RCW 49.04.200 Apprenticeship programs for energy audits and energy efficiency services—Prioritization of workforce training programs—Outreach efforts.

(1) The council must evaluate the potential of existing apprenticeship and training programs that would produce workers with the skills needed to conduct energy audits and provide energy efficiency services and deliver its findings to the department of commerce, the *leadership team, and the appropriate committees of the legislature as soon as possible, but no later than January 18, 2010.

(2) The council may prioritize workforce training programs that lead to apprenticeship programs in green economy jobs. For purposes of this section, green economy jobs include those in the primary industries of a green economy, including clean energy, the forestry industry, high-efficiency building, green transportation, and environmental protection. Prioritization efforts may include but are not limited to: (a) Prioritization of the use of high employer-demand funding for workforce training programs in green economy jobs; (b) increased outreach efforts to public utilities, education, labor, government, and private industry to develop tailored, green job training programs; and (c) increased outreach efforts to target populations. Outreach efforts shall be conducted in partnership with local workforce development councils.

(3) The definitions in RCW 43.330.010 apply to this section. [2023 c 470 s 2091; 2009 c 536 s 12.]

***Reviser's note:** The leadership team was created in 2009 c 536 s 3, which was vetoed.

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Short title—2009 c 536: See note following RCW 43.330.370.

RCW 49.04.210 Aerospace workforce council created—Duties—Composition.

(1) An aerospace workforce council is created in the department of labor and industries to establish a framework for apprenticeship utilization reporting and to establish efficient pathways to achieve targets required under RCW 49.04.220. Beginning in calendar year 2020, the council must:

(a) Meet at least twice per year until the apprenticeship utilization levels in RCW 49.04.220 are achieved;

(b) Monitor the progress of a significant commercial airplane manufacturer, as defined in RCW 49.04.220, and the aerospace industry as a whole in achieving the apprenticeship utilization levels established in RCW 49.04.220;

(c) Report to the legislature by December 1, 2023, on the apprenticeship utilization rate across the aerospace industry and include any recommendations implementing the intent of chapter 165, Laws of 2020, including policy changes needed to expand upon early success of apprenticeship utilization if reached before the date set forth in RCW 49.04.220.

(2) The council must consist of fourteen members, appointed by the governor:

(a) One member must be appointed from each of the two largest aerospace labor organizations in Washington;

(b) Two members must be from a Washington aerospace industry business, only one of which must be from a significant commercial airplane manufacturer;

(c) Two members must be from nonprofit entities engaged in workforce training for the aerospace industry;

(d) One representative from the governor's office;

(e) One representative from the workforce training and education coordinating board;

(f) The state trade representative or the representative's designee;

(g) The director of the department of labor and industries, or the director's designee;

(h) One member from each of the two largest caucuses of the house of representatives, as appointed by the speaker of the house of representatives; and

(i) One member from each of the two largest caucuses of the senate, as appointed by the president of the senate. [2020 c 165 s 5.]

Findings—Intent—Effective date—2020 c 165: See notes following RCW 82.04.2602.

RCW 49.04.220 Aerospace apprenticeship utilization rate—Requirements—Reporting. (1) A significant commercial airplane manufacturer receiving the rate of 0.357 percent under RCW 82.04.260(11)(e) is subject to an aerospace apprenticeship utilization rate of one and five-tenths percent of its qualified apprenticeable workforce in Washington by July 1, 2026, or five years after the effective date of the 0.357 percent rate authorized under RCW 82.04.260(11)(e), whichever is later, as determined by the department of labor and industries.

(2) The aerospace industry in Washington, excluding a significant commercial airplane manufacturer, is subject to an aerospace apprenticeship utilization rate of one and five-tenths percent of its qualified apprenticeable workforce in Washington by July 1, 2026, or five years after the effective date of the 0.357 percent rate authorized under RCW 82.04.260(11)(e), whichever is later, as determined by the department of labor and industries.

(3) Aerospace employers must report relevant occupation data related to the qualified apprenticeable workforce to the department of labor and industries.

(4) The department of labor and industries shall report the aerospace apprenticeship utilization rate to the department [of revenue] and the appropriate committees of the legislature annually beginning October 1, 2024.

(5) The department of labor and industries shall determine aerospace apprenticeship utilization rates under this section based on the framework developed under RCW 49.04.210 and using occupational data reported to the department of labor and industries and/or the employment security department. For data reported to the department of labor and industries, the department of labor and industries shall determine the form and manner in which occupational data is reported, consistent with the framework developed under RCW 49.04.210, and may adopt rules to ensure full participation within the industry necessary to implement the requirements of this section. The department of labor

and industries, consulting with the department of revenue, may also require additional information on the annual tax performance report under RCW 82.32.534. The department of labor and industries may adopt rules to ensure full participation within the industry and necessary to implement the requirements of this section.

(6) For the purposes of this section, the following definitions apply.

(a) "Aerospace employer" means any person that qualifies for the rate under RCW 82.04.260(11)(e) with twenty-five or more employees in positions determined to be qualified occupations by the Washington state apprenticeship and training council according to chapter 49.04 RCW directly applicable to the production of commercial aircraft.

(b) "Qualified apprenticeable workforce" means all occupations approved by the Washington state apprenticeship and training council according to chapter 49.04 RCW directly applicable to the production of commercial aircraft.

(c) "Significant commercial airplane manufacturer" means a manufacturer of commercial airplanes with at least fifty thousand full-time employees in Washington as of January 1, 2021. [2020 c 165 s 4.]

Findings—Intent—Effective date—2020 c 165: See notes following RCW 82.04.2602.

RCW 49.04.230 Educational requirements—Secretary of health to define. Educational requirements for an apprenticeship for substance use disorder professionals must be defined by the secretary of health under RCW 18.205.100. [2021 c 165 s 3.]

Rules—2021 c 165: See note following RCW 18.205.095.

RCW 49.04.240 Economic or industry sector-based platforms—Requirements—Reporting. (1) For any existing active registered apprenticeship programs, or when a new program gains approval, the apprenticeship council must establish an economic or industry sector-based platform.

(2) The economic or industry sector-based platforms may be in the following areas: Building trades, manufacturing and engineering, health care and behavioral health, education and early learning, information and communications technology, biotechnology and life sciences, hospitality, and maritime. Any platform established under this section must have an equal number of employer and employee organization representatives. All platforms established under this section must:

(a) Promote collaboration within their economic or industry sector;

(b) Periodically review the required classroom and on-the-job training standards for apprenticeship programs within their economic or industry sector;

(c) Collaborate with any relevant centers of excellence in RCW 28B.50.902; and

(d) Review applications for new apprenticeship programs in the platform's economic or industry sector and make recommendations on the approval or rejection of the applications, or suggested modifications

to the applicant apprenticeship programs, to the apprenticeship council.

(3) The department of labor and industries must assign an industry liaison to support each platform.

(4) The platform must report at least annually to the apprenticeship council on the following within their economic or industry sector:

(a) Participation in existing approved apprenticeship programs;

(b) Progress in developing new apprenticeship programs; and

(c) Any review of required classroom and on-the-job training standards.

(5) The department must consult with the United States department of labor about opportunities for Washington state employers to participate in apprenticeship programs, and to pursue federal grants on behalf of state registered apprentices and apprenticeship programs. [2022 c 156 s 2.]

Intent—2022 c 156: "Washington state has maintained a robust registered apprenticeship system that has created tens of thousands of high-skill, high-wage careers in traditional apprenticeship programs that are financially stable and jointly managed to ensure future generations of apprentices for high demand occupations. The earn while you learn apprenticeship model opens opportunities to diverse groups and communities that have not been able to access traditional higher education and traditional apprenticeship programs in the past. The legislature recognizes that the COVID-19 pandemic has also created a significant dislocation and disruption of our workforce that can be repaired in part by reconnecting workers with innovative apprenticeships that lead to new career pathways. The legislature intends to encourage and foster new apprenticeship opportunities through programs sponsored by public and private entities. It is the intent of the legislature that apprenticeship programs seeking state registration receive prompt consideration with minimum delay. To achieve the goals of rebuilding a robust postpandemic workforce and undertaking active efforts to provide equity, diversity, inclusion, and accessibility in apprenticeship programs will take sustained effort and support." [2022 c 156 s 1.]

Effective date—2022 c 156 s 2: "Section 2 of this act takes effect July 1, 2023." [2022 c 156 s 12.]

RCW 49.04.250 Committee to develop appropriate apprenticeship programs for state agencies. The governor shall establish a committee of state agency human resources managers to undertake the development of appropriate apprenticeship programs for state agencies. The committee will involve the exclusive collective bargaining representatives and public sector agencies conducting work-study programs that enable high school graduates to achieve entry-level employment and placement in registered apprenticeship programs as potential apprenticeship pathways are considered and developed. The current registered apprenticeship program for industrial insurance at the department of labor and industries shall be consulted as a model for other agencies. [2022 c 156 s 3.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.260 Grant program for technology and remote learning infrastructure modernization of state registered apprenticeships. (1)

A grant program for technology and remote learning infrastructure modernization of state registered apprenticeships is established.

(2) The department of labor and industries must manage and oversee the grant program and may establish application procedures and criteria for the receipt of grants. The department of labor and industries must require grant applications to include a plan to sustain the technology and remote learning infrastructure over time.

(3) Subject to the availability of funds appropriated for this specific purpose, the department of labor and industries may award one-time grants to state registered apprenticeship programs for modernizing technology and remote learning infrastructure.

(4) No funds from the accident fund established in RCW 51.44.010 or the medical aid fund established in RCW 51.44.020 may be used in funding the grant program established under this section. [2022 c 156 s 5.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.270 Grant program for wraparound support services.

(1) A grant program for wraparound support services to mitigate barriers to beginning or participating in state registered apprenticeship programs is established. Support services shall include provisions for child care, health care, transportation to jobsites, and other support services necessary to mitigate barriers to beginning or participating in state registered apprenticeship programs.

(2) The department of labor and industries must manage and oversee the grant program and may establish application procedures and criteria for the receipt of grants.

(3) Subject to the availability of funds appropriated for this specific purpose, the department of labor and industries may award grants to nonprofit organizations and state registered apprenticeship training committees that support individuals currently in, or seeking to enter, state registered apprenticeship programs or apprenticeship council recognized apprenticeship preparation programs by providing, or connecting apprentices to, wraparound services, including child care, professional clothing, required tools, or transportation.

(4) No funds from the accident fund established in RCW 51.44.010 or the medical aid fund established in RCW 51.44.020 may be used in funding the grant program established under this section. [2022 c 156 s 6.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.280 Grant program for updating equipment. (1) A grant program for updating equipment in state registered apprenticeship programs is established.

(2) The department of labor and industries must manage and oversee the grant program and may establish application procedures and criteria for the receipt of grants.

(3) Subject to the availability of funds appropriated for this specific purpose, the department of labor and industries may award

grants to state registered apprenticeship programs to upgrade equipment necessary for the program.

(4) No funds from the accident fund established in RCW 51.44.010 or the medical aid fund established in RCW 51.44.020 may be used in funding the grant program established under this section. [2022 c 156 s 7.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.290 Vouchers for driver's education courses. (1)

Subject to the availability of funds appropriated for this specific purpose, the department of labor and industries must provide vouchers to cover the cost of driver's education courses for minors enrolled in a state registered apprenticeship program.

(2) The department of labor and industries may establish application and award procedures for implementing this section.

(3) No funds from the accident fund established in RCW 51.44.010 or the medical aid fund established in RCW 51.44.020 may be used in funding the voucher program established under this section. [2022 c 156 s 8.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.300 Apprenticeship retention study. (Expires December 31, 2027.) (1) The department of labor and industries must conduct an apprentice retention study of state registered apprentices. The study must collect data from apprentices that are six months into their apprenticeships on the barriers and challenges new apprentices encounter that may prevent them from continuing their apprenticeships.

(2) The department of labor and industries must aggregate the data collected in subsection (1) of this section by trade and post the data on a dashboard on its public website annually.

(3) The department of labor and industries must use the data collected under this section to work with apprenticeship coordinators to implement an early alert response system to connect apprentices with needed support and wraparound services.

(4) By December 1, 2026, and in compliance with RCW 43.01.036, the department of labor and industries must submit a report to the legislature on its key findings on the barriers and challenges in retaining apprentices and its recommendations.

(5) This section expires December 31, 2027. [2022 c 156 s 9.]

Intent—2022 c 156: See note following RCW 49.04.240.

RCW 49.04.910 Chapter not affected by certain laws against discrimination in employment because of age. The amendments made by chapter 100, Laws of 1961 shall not be construed as modifying chapter 231, Laws of 1941 as amended, or as applying to any standards established thereunder or employment pursuant to any bona fide agreements entered into thereunder. [1961 c 100 s 6.]

Reviser's note: (1) Chapter 100, Laws of 1961 amended RCW 49.60.180, 49.60.190, 49.60.200 and reenacted RCW 49.60.310 to include age as an element of discrimination, and such chapter added a new

section codified as RCW 49.44.090 relating to unfair practices in employment because of age.

(2) Chapter 231, Laws of 1941 is the apprenticeship law codified in chapter 49.04 RCW.