



STANDARDS OF APPRENTICESHIP
adopted by

DISPENSING OPTICIAN JOINT APPRENTICESHIP TRAINING COMMITTEE

<u>Skilled Occupational Objective(s):</u>	<u>(sponsor)</u>	<u>DOT and/or SOC</u>	<u>Term</u>
DISPENSING OPTICIAN		29-2081.00	6000 HOURS



APPROVED BY
Washington State Apprenticeship and Training Council
REGISTERED WITH
Apprenticeship Section of Specialty Compliance Services Division
Washington State Department Labor and Industries
Post Office Box 44530
Olympia, Washington 98504-4530

APPROVAL:

JANUARY 22, 1999
Initial Approval

JANUARY 17, 2003
Committee Amended

JANUARY 17, 2003
Standards Amended (review)

OCTOBER 20, 2006
Standards Amended (administrative)

By: MELINDA NICHOLS
Chair of Council

By: PATRICK WOODS
Secretary of Council

DISPENSING OPTICIAN JOINT APPRENTICESHIP TRAINING COMMITTEE

The Washington State Apprenticeship and Training Council (WSATC) has the authority to develop, administer, and enforce apprenticeship program standards (Standards) for the operation and success of an apprenticeship and training program in the State of Washington.

Apprenticeship programs and committees function, administer, or relinquish authority only with the consent of the WSATC and only apprentices registered with the supervisor or recognized under the terms and conditions of a reciprocal agreement will be recognized by the WSATC. Parties signatory to these Standards declare their purpose and policy is to establish and sponsor an organized system of registered apprenticeship training and education.

These Standards are in conformity and are to be used in conjunction with the Apprenticeship Rules, Chapter 296-05 WAC (Washington Administrative Code); Apprenticeship Act, Chapter 49.04 RCW (Revised Code of Washington); The National Apprenticeship Act, 29 U.S.C. (United States Code) 50; Apprenticeship Programs, Title 29 Part 29 CFR (Code of Federal Regulations); and Equal Employment Opportunity in Apprenticeship and Training, Title 29 Part 30 CFR which govern employment and training in apprenticeable occupations. They are part of this apprenticeship agreement and bind all signers to compliance with all provisions of registered apprenticeship. Additional information may need to be maintained by the program that is supplemental to these apprenticeship standards. This information is for purposes of ensuring compliance with decisions of the WSATC and the apprenticeship laws identified above.

If approved by the council, such amendment/s and such changes as adopted by the council shall be binding to all parties. Sponsors shall notify apprentices of changes as they are adopted by the council. If and when any part of these Standards becomes illegal, as pertains to federal and/or state law, that part and that part alone will become inoperative and null and void, and the Department of Labor and Industries (L&I) may adopt language that will conform to applicable law. The remainder of the Standards will remain in full force and effect.

See WAC 296-05-003 for the definitions necessary for use with these Standards.

I. GEOGRAPHIC AREA COVERED:

The sponsor has no authority to conduct training outside of the geographical area covered by these Standards. The sponsor may enter into an agreement (portability agreements – see WAC 296-05-303(3)) with other apprenticeship committees for the use of apprentices by training agents that are working outside their approved geographic area. Also, if a reciprocity agreement (see WAC 296-05-327) is in place, the out-of-state sponsor may use their registered apprentices. The sponsor will ensure compliance with the provisions of any agreement recognized by the WSATC.

The area covered by these standards shall be Washington State.

II. MINIMUM QUALIFICATIONS:

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Minimum qualifications must be clearly stated and applied in a nondiscriminatory manner (see WAC 296-05-316).

- Age: **Applicants shall be at least eighteen (18) years of age**
- Education: **All applicants shall be high school graduates or provide proof of equivalent education attainment through such means as an official report of successful results of the G.E.D. tests.**
- Physical: **Applicants shall not be considered if they have a physical condition sufficient to impair the person's safety or the safety of others on the job.**
- Testing: **None**
- Other: **Must be registered as required with the Washington State Department of Health (Dispensing Optician Licensing Division).**

III. CONDUCT OF PROGRAM UNDER WASHINGTON EQUAL EMPLOYMENT OPPORTUNITY PLAN:

Sponsors with five (5) or more apprentices must adopt an Equal Employment Opportunity (EEO) Plan and Selection Procedures (see Part D of Chapter 296-05 WAC and 29 CFR Part 30).

The recruitment, selection, employment and training of apprentices during their apprenticeship shall be without discrimination because of race, sex, color, religion, national origin, age, disability or as otherwise specified by law. The sponsor shall take positive action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required by the rules of the Washington State Apprenticeship and Training Council and Title 29, Part 30 of the Code of Federal Regulations. (WAC 296-05-316(3))

A. Selection Procedures:

Employers participating in the Dispensing Opticians Joint Apprenticeship Training Committee's apprenticeship program shall submit to the JATC a list of current employees that are eligible for participation in the dispensing Opticians Apprenticeship Program. The JATC shall select apprentices from the list submitted by the employer.

- 1. Interviews will be scheduled and the applicants notified 20 days prior to appointment. Interviews to be conducted at Highline Community College in Des Moines, Washington in opticians classroom space.**

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2. Each applicant will be asked a series of identical questions by equal members of employer and employee representatives (members of Dispensing Optician JATC - Committee members).
3. Each committee member will record the applicant's numeric score on a designated score sheet which will be kept on file. The applicant's total score will be recorded and each committee member will sign and date the score sheet.
4. The applicants that each employer supplies will be ranked in order by score and submitted to that employer in a ranked order by score.

B. Equal Employment Opportunity Plan:

1. Cooperate and counsel with secondary, vocational, community and technical schools concerning the needs of the industry and how to encourage females, minority groups, and the economically disadvantaged to enter into the optician apprenticeship program.
2. Disseminate information within the industry to acquaint all involved with the goals of the apprenticeship program and to affect cooperation.
3. As required by state and federal law grant credit for previous trade experience of trade-related courses for all applicants equally.

Discrimination Complaints.

Any apprentice or applicant for apprenticeship who believes they have been discriminated against may file a complaint (WAC 296-05, Part D).

IV. TERM OF APPRENTICESHIP:

The minimum term of apprenticeship must not be less than 2000 hours or 12 months of work experience in each occupation identified in these Standards as apprenticeable. The term of apprenticeship must be stated in hours or months of employment.

The term of apprenticeship shall be 6000 hours of employment. After this time, the apprentice will be eligible to apply for and take the licensing examination for Dispensing Opticians as administered by the Washington State Department of Health.

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V. INITIAL PROBATIONARY PERIOD:

All apprentices are subject to an initial probationary period, stated in hours or months of employment for which they receive full credit toward completion of apprenticeship. Advance credit/standing will not reduce the initial probationary period. The initial probationary period:

- Is the period following the apprentice's acceptance into the program and during which the apprentice's appeal rights are impaired. The initial probation must not exceed twenty percent (20%) of the term of apprenticeship unless an exemption by the WSATC has been granted for longer probationary periods as specified by Civil Service or law.
- Is the period that the WSATC or the supervisor of apprenticeship may terminate an apprenticeship agreement at the written request by any affected party. The sponsor or the apprentice of the apprenticeship agreement may terminate the agreement without a hearing or stated cause. An appeal process is available to apprentices who have completed the initial probationary period.

The probationary period shall be the first 1000 hours of employment as a registered apprentice. During such period, either party to the agreement may terminate the apprenticeship agreement upon written notice.

VI. RATIO OF APPRENTICES TO JOURNEY LEVEL WORKERS:

Supervision is the necessary education, assistance, and control provided by a journey-level employee that is on the same job site at least seventy-five percent of each working day, unless otherwise approved by the WSATC. The sponsor will assure that apprentices are under the supervision of competent and qualified journey-level workers on the job who are responsible for the work being performed, to ensure safety and training in all phases of the work. Apprentices will work the same hours as journey-level workers, EXCEPT where such hours may interfere with related/supplemental instruction. (see WAC 296-05-316(5))

The ratio of apprentices to licensee shall be two (2) apprentices to one (1) licensee. Licensee holders will be considered journey-level supervisors for the purpose of the ratio.

VII. APPRENTICE WAGES AND WAGE PROGRESSION:

The apprentice will be paid a progressively increasing schedule of wages based on specified percentages of journey-level wage consistent with skills acquired. These may

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be indicated in hours or monthly periods set by the sponsor. The entry wage will not be less than the minimum wage prescribed by the Fair Labor Standards Act, where applicable, unless a higher wage is required by other applicable federal law, state law, respective regulations, or by collective bargaining agreement.

The sponsor may accelerate, by an evaluation process, the advancement of apprentices who demonstrate abilities and mastery of the occupation to the level for which they are qualified. When the apprentice is granted advanced standing the sponsor must notify the employer/training agent of the appropriate wage per the wage progression schedule specified in these Standards.

Step	Number of hours/months	Percentage of journey-level rate
1	0000 - 2000 hours	60%
2	2001 - 4000 hours	70%
3	4001 - 6000 hours	80%

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VIII. WORK PROCESSES:

The apprentice shall receive on the job instruction and experience as is necessary to become a qualified journey-level worker versed in the theory and practice of the occupation covered by these Standards. The following is a condensed schedule of work experience, which every apprentice shall follow as closely as conditions will permit.

Employers/training agents shall only use registered apprentices to perform the work processes as stated in this section. (WAC 296-05-003 - Definitions)

<u>A. Dispensing Optician</u>	<u>APPROXIMATE HOURS</u>
1. Collect and analyze data.....	500
2. Fit and dispense spectacles, spectacle lens, and other ophthalmic devices (excluding contact lenses)	2000
3. Fabricate ophthalmic products.....	1000
4. Fit and dispense contact lens.....	1500
5. Operate and maintain equipment.....	500
6. Perform administrative duties	500
TOTAL HOURS:	6000

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IX. RELATED/SUPPLEMENTAL INSTRUCTION:

The apprentice must attend related/supplemental instruction. Time spent in related/supplemental instruction will not be considered as hours of work, and the apprentice is not to be paid for time so spent, unless otherwise stated in these Standards.

The sponsor/training agent must provide for instruction of the apprentice during the related/supplemental instruction in safe and healthful work practices in compliance with the Washington Industrial Safety and Health Act, and applicable federal and state regulations.

In case of failure on the part of any apprentice to fulfill this obligation, the sponsor has authority to take disciplinary action (see Administrative/Disciplinary Procedures section).

Clock hours of actual attendance by the apprentice in related/supplemental instruction classes at the community/technical college or other approved training locations shall be reported to L&I on a quarterly basis for verifying attendance and industrial insurance purposes.

For industrial insurance purposes, the WSATC will be considered as the employer should any apprentice, not being paid to attend, sustain an injury while participating in related/supplemental classroom activity, or other directly related activity outside the classroom. The activities must be at the direction of the instructor.

The methods of related/supplemental training must consist of one or more of the following:

- Supervised field trips
- Approved training seminars
- A combination of home study and approved correspondence courses
- State Community/Technical college
- Private Technical/Vocational college
- Training trust
- Other (specify):
Any approved company training program.
Any approved distance learning program.

144 Minimum RSI hours per year, (see WAC 296-05-305(5))

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Additional Information:

NONE

X. ADMINISTRATIVE/DISCIPLINARY PROCEDURES:

Sponsors may include in this section requirements and expectations of the apprentices and training agents and an explanation of disciplinary actions that may be imposed for noncompliance. The sponsor has the following disciplinary procedures that they may impose: Disciplinary Probation, Suspension, or Cancellation.

Disciplinary Probation: A time assessed when the apprentice's progress is not satisfactory. During this time the program sponsor may withhold periodic wage advancements, suspend or cancel the apprenticeship agreement, or take further disciplinary action. A disciplinary probation may only be assessed after the initial probation is completed. During the disciplinary probation, the apprentice has the right to file an appeal of the committee's action with the WSATC (as described in WAC 296-05-009).

Suspension: A suspension is a temporary interruption in progress of an individual's apprenticeship program that may result in the cancellation of the Apprenticeship Agreement. Could include temporarily not being allowed to work, go to school or take part in any activity related to the Apprenticeship Program until such time as the Apprenticeship Committee takes further action.

Cancellation: Refers to the termination of an apprenticeship agreement at the request of the apprentice, supervisor, or sponsor. (as described in WAC 296-05-009).

A. General Procedures

- 1. In case of failure on the part of the apprentice to fulfill his/her obligation to maintain satisfactory classroom attendance, grades, and job performance evaluations, the Apprenticeship Committee shall have the authority to discipline, suspend, or cancel the apprentice's agreement. The employer agrees to carry out the instructions of the Committee in this regard. The apprentice agrees to abide by any such determination by the Committee.**
- 2. The apprentice shall be evaluated by the Committee a minimum of once each calendar year to determine eligibility for advancement in his/her training program and receive the next scheduled pay increase. In these evaluations, consideration shall be given to apprenticeship training attendance, progress and daily employment records of the apprentice. Failure to achieve a passing grade on these evaluations may result in an**

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extension of the apprentice's completion date and a corresponding delay in the apprentice's next pay increase as deemed necessary by the Committee.

3. **Unexcused related/supplemental instruction absences may be cause for disciplinary action, suspension, or cancellation of the apprentice's agreement.**
4. **If the apprentice fails to appear before the Apprenticeship Committee after due notice, disciplinary action may be invoked.**

B. Local Apprenticeship Committee Policies

NONE

C. Complaint and Appeal Procedures:

All approved programs must establish procedures explaining the program's complaint review process. Complaints that involve matters covered by a collective bargaining agreement are not subject to the complaint review procedures in this section.

Complaint (after initial probation completed) – WAC 296-05-009 and 296-05-316(21)

Prior to: 20 days of intention of disciplinary action by a committee/organization

- Committee/organization must notify the apprentice in writing of action to be taken
- Must specify the reason(s) for discipline, suspension, or cancellation
- Decision will become effective immediately
- Written reason(s) for such action will be sent to the apprentice

Within: 30 days request for reconsideration from the committee

- Apprentice to request local committee to reconsider their action

Within: 30 days of apprentice's request for reconsideration

- Local committee/organization must provide written notification of their final decision

If apprentice chooses to pursue the complaint further:

Within: 30 days of final action

- Apprentice must submit the complaint in writing to the supervisor (L&I)
- Must describe the controversy and provide any backup information
- Apprentice must also provide this information to the local committee/organization

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Within: 30 days for supervisor to complete investigation

- If no settlement is agreed upon during investigation, then supervisor must issue a written decision resolving the controversy when the investigation is concluded

If the apprentice or local committee/organization disputes supervisor decision:

Within: 30 days of supervisor's decision, request for WSATC hearing

- Request must be in writing
- Must specify reasons supporting the request
- Request and supporting documents must be given to all parties
- WSATC must conduct the hearing in conjunction with the regular quarterly meeting

Within: 30 days after hearing

- WSATC to issue written decision

XI. COMMITTEE – RESPONSIBILITIES AND COMPOSITION

NOTE: The following is an overview of the requirements associated with administering an apprenticeship committee and/or program. These provisions are to be used with the corresponding RCW and/or WAC.

The sponsor is the policymaking and administrative body responsible for the operation and success of this apprenticeship program. A committee is responsible for the day-to-day operations of the apprenticeship program and they must be knowledgeable in the process of apprenticeship and/or the application of Chapter 49.04 RCW and Chapter 296-05 WAC. Sponsors must develop procedures for:

- A. Committee Operations (WAC 296-05-316): (Not applicable for Plant Programs)
Convene meetings at least three times per year of the program sponsor and apprenticeship committee attended by a quorum of committee members as defined in the approved Standards. If the committee does not indicate its definition of quorum, the interpretation will be “50% plus 1” of the approved committee members. Conference call meetings may be conducted in lieu of regular meetings but must not exceed the number of attended meetings and no disciplinary action can be taken during conference call meetings.
- B. Program Operations (Chapter 296-05 WAC - Part C & D):
 1. The sponsor will record and maintain records pertaining to the local administration of the apprenticeship program and make them available to the WSATC or its representative on request.

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Records required by WAC 296-05-400 through 455 (see Part D of Chapter 296-05 WAC) will be maintained for five (5) years; all other records will be maintained for three (3) years.

2. The sponsor will submit to L&I through the assigned state apprenticeship coordinator the following list:

Forms are available on line at

<http://www.lni.wa.gov/TradesLicensing/Apprenticeship/FormPub/eForms> or from your assigned apprenticeship coordinator.

- Apprenticeship Agreement Card – within first 30 days of employment
 - Authorization of Signature - as necessary
 - Authorized Training Agent Agreements (committee approving or canceling) – within 30 days
 - Apprenticeship Committee Meeting Minutes – within 30 days of meeting (not required for Plant program)
 - Change of Status – within 30 days of action by committee, with copy of minutes
 - Journey Level Wage – at least annually, or whenever changed
 - Revision of Standards and/or Committee Composition - as necessary
 - RSI (Quarterly) Reports:
 - 1st quarter: January through March, by April 10
 - 2nd quarter: April through June, by July 10
 - 3rd quarter: July through September, by October 10
 - 4th quarter: October through December, by January 10
3. Adopt, as necessary, local program rules or policies to administer the apprenticeship program in compliance with these Standards that must be submitted for L&I approval and updating these Standards. The L&I apprenticeship program manager may administratively approve requests for revisions in the following areas of the Standards:
 - Program name
 - Section III: Conduct of Program Under Washington Equal Employment Opportunity Plan
 - Section VII: Apprentice Wages and Wage Progression
 - Section IX: Related/Supplemental Instruction
 - Section XI: Committee - Responsibilities and Composition (including opening statements)
 - Section XII: Subcommittees
 - Section XIII: Training Director/Coordinator

C. Management of Apprentices:

1. Each apprentice (and, if under 18 years of age, the parent or guardian) will sign an apprenticeship agreement with the sponsor, who will then register the agreement,

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with L&I before the apprentice attends the related/supplemental instruction classes, or within the first 30 days of employment as an apprentice. For the purposes of industrial insurance coverage and prevailing wage exemption under RCW 39.12.021, the effective date of registration will be the date the agreement is received by L&I.

L&I must be notified within 30 days of program approval, of all requests for disposition or modification of agreements, with a copy of the committee minutes approving the changes, which may be:

- Certificate of completion
 - Additional credit
 - Suspension (i.e. military service or other)
 - Reinstatement
 - Cancellation and/or
 - Corrections
2. Rotate apprentices in the various processes of the skilled occupation to ensure the apprentice is trained to be a competent journey-level worker.
 3. Periodically review and evaluate apprentices before advancement to the apprentice's next wage progression period. The evidence of such advancement will be the record of the apprentice's progress on the job and during related/supplemental instruction.
 4. The sponsor has the obligation and responsibility to provide, insofar as possible, continuous employment for all apprentices in the program. The sponsor may arrange to transfer an apprentice from one training agent to another or to another sponsor when the sponsor is unable to provide reasonably continuous employment, or they are unable to provide apprentices the diversity of experience necessary for training and experience in the various work processes as stated in these Standards. The new sponsor or training agent will assume all the terms and conditions of these Standards. If, for any reason, a layoff of an apprentice occurs, the apprenticeship agreement will remain in effect unless canceled by the sponsor.
 5. An apprentice who is unable to perform the on-the-job portion of apprenticeship training may, if the apprentice so requests and the sponsor approves, participate in related/supplemental instruction, subject to the apprentice obtaining and providing to the sponsor written requested document/s for such participation. However, time spent will not be applied toward the on-the-job portion of apprenticeship training.
 6. Hear and adjust all complaints of violations of apprenticeship agreements.
 7. Upon successful completion of apprenticeship, as provided in these Standards, and passing the examination that the sponsor may require, the sponsor will recommend that the WSATC award a Certificate of Completion of

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Apprenticeship. The program will make an official presentation to the apprentice that has successfully completed his/her term of apprenticeship.

D. Training Agent Management:

1. Offer training opportunities on an equal basis to all employers and apprentices. Grant equal treatment and opportunity for all apprentices through reasonable working and training conditions and apply those conditions to all apprentices uniformly. Provide training at a cost equivalent to that incurred by currently participating employers and apprentices. Not require an employer to sign a collective bargaining agreement as a condition of participation.
2. Determine the adequacy of an employer to furnish proper on-the-job training in accordance with the provisions of these Standards. Require all employers requesting approved training agent status to complete an approved training agent agreement and comply with all federal and state apprenticeship laws and the appropriate apprenticeship Standards.
3. Submit approved training agent agreements to the department with a copy of the agreement and/or the list of approved training agents within thirty days of committee approval. Submit rescinded approved training agent agreements and/or the list of approved training agents to the department within thirty days of said action.

E. Composition of Committee: (see WAC 296-05-313)

Apprenticeship committees must be composed of an equal number of management and non-management representatives composed of at least four members but no more than twelve. If the committee does not indicate its definition of a quorum, the interpretation will be "50% plus 1" of the approved committee members.

Apprenticeship committees shall elect a chairperson and a secretary who shall be from opposite interest groups, i.e., chairperson-employers; secretary-employees, or vice versa; EXCEPT, this does not apply where the Registration Agency represents the apprentice(s).

For plant programs the WSATC or the department designee will act as the employee representative.

Quorum: **SEE ABOVE**

Program type administered by the committee: **GROUP JOINT**

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The employer representatives shall be:

**Rhonda Evans, Chair
999 Lake Dr.
Issaquah, WA 98027**

**Carol Doherty
17646 First Avenue South
Burien, WA 98148**

**Russ Igoe
3626 Kings Way SE
Olympia, WA 98501**

The employee representatives shall be:

**Dennis Prescott, Secretary
c/o Group Health See Center
2560 152nd Avenue NE, Suite A
Redmond, WA 98052**

**Dianne Ebsworth
15024 39th Avenue NE
Lake Forest Park, WA 98155**

**Janis Quinn
10905 126th Avenue NE
Kirkland, WA 98033**

XII. SUBCOMMITTEE:

Subcommittee(s) approved by L&I, represented equally from management and non-management, may also be established under these Standards, and are subject to the main committee. All actions of the subcommittee(s) must be approved by the main committee.

To be established.

XIII. TRAINING DIRECTOR/COORDINATOR:

The sponsor may employ a person(s) as a full or part-time training coordinator(s)/training director(s). This person(s) will assume responsibilities and authority for the operation of the program as are delegated by the sponsor.

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