

Chapter 17. Professions, Occupations, and Businesses
Chapter IX. Office of Skills Development, Department of Commerce
Part 37. Rules for Arkansas's Registered Apprenticeship Programs

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

“SECTION I. AUTHORITY

The following rules are adopted and promulgated by the Career Education and Workforce Development Board pursuant to the authority expressly conferred on it by the laws the of the State of Arkansas and the Arkansas Administrative Procedures Act.”

17 CAR § 37-101. Definitions.

As used in this part:

- (1) “Apprentice” means an individual:
 - (A) Enrolled in an apprenticeship training program that is registered by the United States Office of Apprenticeship;
 - (B) Working within their chosen occupation;
 - (C) Who has a signed indenture agreement on file with the United States Office of Apprenticeship; and
 - (D) Has been issued all necessary licenses for their current occupation;
- (2) “Apprenticeable occupation” means an occupation recognized by the United States Office of Apprenticeship and throughout an industry as a skilled occupation learned through structured on-the-job training requiring at least two thousand (2,000) hours of instruction per year, and supplemented by at least one hundred forty-four (144) hours of technical instruction per year or as approved by the United States Office of Apprenticeship;
- (3) “Apprenticeship” means a learning approach enabling an individual to become a qualified professional in a skilled occupation which consists of on-the-job training with off-the-job instruction related to the skilled occupation in question;
- (4) “Apprenticeship coordinator” means the person designated by the program sponsor to be the program’s primary contact and coordinator;
- (5) “Apprenticeship standards” means the rules that the program sponsor registers with the United States Office of Apprenticeship describing how an apprenticeship training program will be conducted;
- (6) “Apprenticeship training program” means a training program that provides on-the-job training, preparatory instruction, supplementary instruction, or related instruction in an occupation that has been registered as an apprenticeable occupation by the United States Office of Apprenticeship;
- (7) “Arkansas Apprenticeship Coordination Steering Committee” means the committee appointed by the Governor representing bargaining agents, employers, educators, the minority and female workforce, and the general public whose purpose is to oversee the operation and funding of apprentice training programs in the State of

Arkansas;

(8) "ARPAP" means Arkansas Certified Pre-apprenticeship Program;

(9) "Contact hour" means a block of sixty (60) minutes during which an apprentice receives instruction in a supervised classroom or laboratory environment;

(10)(A) "Indenture agreement" means a signed agreement between the apprentice and the sponsoring entity, firm, or person.

(B) An indenture agreement must:

(i) Contain the standards for the particular program; and

(ii) Be filed with the United States Office of Apprenticeship;

(11) "Journeyman" means an individual who has, where required:

(A) Completed an apprenticeship training program and been released from their indenture agreement;

(B) Been recognized by their peers as having attained journeyman status;

(C) Demonstrated their ability to perform work as a journeyman by examination or other proof of competence; or

(D) Been issued a journeyman license if necessary for their chosen occupation;

(12) "Local education agency" means a public community college, technical college, secondary, or postsecondary vocational-technical school, technical institute, university, life-long learning center, adult education center, area vocational center, or a public school system that has an assigned local education agency number recognized or accepted by the United States Department of Education and the Office of Skills Development;

(13) "On-the-job training" means work performed by an apprentice at a job or work site that relates to and reinforces the classroom training received by the apprentice, directly supervised by a journeyman or master;

(14) "OSD/OA" means the Office of Apprenticeship of the Office of Skills Development, a division of the Department of Commerce;

(15) "Preparatory instruction" means a course of instruction lasting six (6) months or less that teaches basic skills required for an individual to enter the workforce;

(16)(A) "Program sponsor" means any person or organization operating a registered apprenticeship program.

(B) A program sponsor may be either an employer or representative of the apprentice;

(17) "RAP" means registered apprenticeship program;

(18) "Related technical instruction" means organized off-the-job instruction provided by an instructor qualified under 17 CAR § 37-102 and documented by appropriate written or performance tests in subjects required for the completion of an apprenticeship program for a particular apprenticeable occupation;

(19) "Supplementary instruction" means a course of instruction designed to provide new skills or upgrade the current skills of fully qualified persons in an apprenticeable occupation; and

(20) "USDOL/OA" means the United States Office of Apprenticeship.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-102. Instructor qualifications.

- (a) In order to be a qualified instructor, an individual must:
- (1) Meet the Department of Education's vocational-technical instructor requirements; or
 - (2) Be recognized as a subject matter expert within an industry as having expertise in a specific occupation.
- (b) For occupations requiring a license, the instructor shall:
- (1) Have a minimum of a journeyman's license in that occupation; or
 - (2) Be recognized as a subject matter expert within an industry as having expertise in a specific occupation.
- (c) Have training in teaching techniques or adult learning styles.
- (d) A qualified instructor should have no more than twenty-five (25) apprentices per class.
- (e) Qualified instructors are encouraged to take teacher training courses as available to further improve their skills.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-103. Terms of apprenticeship agreement.

- (a) All apprentices shall be placed under a written apprenticeship agreement which shall be signed by the:
- (1) Apprentice;
 - (2) Apprentice's employer; and
 - (3) Program sponsor.
- (b) All signed apprenticeship agreements under this section shall be registered with the United States Office of Apprenticeship.
- (c) The terms of the apprenticeship agreement shall be consistent with the training requirements established by the United States Office of Apprenticeship, which shall be incorporated into the apprenticeship agreement by reference.
- (d) Each apprentice entering into an apprenticeship agreement under this section shall be given the opportunity to fully review the terms of the agreement and the United States Office of Apprenticeship training requirements prior to signing.
- (e) The following parties shall receive a copy of the executed apprenticeship agreement:
- (1) The apprentice;
 - (2) The apprentice's employer;
 - (3) The program sponsor; and
 - (4) The United States Office of Apprenticeship.
- (f)(1) After the execution of the apprenticeship agreement, there shall be a reasonable probationary period based on the length of the apprenticeship term during

which time the apprenticeship agreement may be terminated with full credit for such time toward the completion of the apprenticeship, at the request of any of the parties listed in subsection (a) of this section.

(2) After the probationary period has ended, the apprenticeship agreement may only be terminated for cause.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-104. Working conditions and safety.

(a) Apprentices shall be subject to the same hours of work and working conditions as licensed journeymen within the occupation.

(b) The apprentice's employer shall:

(1) Instruct the apprentice in safe practices and procedures; and

(2) Ensure that the apprentice is trained in facilities or environments that comply with all applicable health and safety standards.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-105. Related technical instruction.

(a)(1) Apprentices are required to attend related technical instruction classes:

(A) For a minimum of one hundred forty-four (144) hours per year;

or

(B) As mandated in the standards of apprenticeship for the relevant

occupation.

(2) Safety instruction shall be included as part of the curriculum provided in the classroom or organized courses.

(3) Time an apprentice spends on attending related technical instruction shall not be considered hours worked for the purposes of completing their apprenticeship.

(b) An employer may, but is not required to, pay an apprentice for time spent attending related technical instruction.

(c) Written documentation of the related technical instruction consisting of time or attendance sheets, student sign-in sheets, or other documentation as approved by the Office of Apprenticeship of the Office of Skills Development shall be kept on file by the program sponsor for at least five (5) years.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-106. Duties of the program sponsor or local apprenticeship committee.

(a) Program sponsors and local apprenticeship committees shall:

(1) Administer the apprenticeship program and enforce its provisions;

(2) Establish minimum standards of education and experience for apprenticeship applicants;

- (3) Review apprenticeship agreements to ensure all parties are in compliance with the terms of the agreement;
 - (4) Determine through examination as necessary, the progress of apprentices in practical skill and technical knowledge;
 - (5) Promote apprenticeship by networking with industry, trade associations, governmental units, and the general public;
 - (6) Provide apprentices with a transcript of related technical instruction and on-the-job training at least every six (6) months while they are active in the program;
 - (7) Issue certificates of apprenticeship completion to apprentices who have satisfactorily completed their training;
 - (8) Secure competent and qualified instructors whose knowledge, experience, and ability to teach shall be examined;
 - (9) Submit proposed changes to their standards to the United States Office of Apprenticeship for review and approval prior to implementation;
 - (10) Maintain complete and accurate records, which shall be maintained for a period of five (5) years for each apprentice, which shall include, but are not limited to:
 - (A) Copies of the registration with the United States Office of Apprenticeship;
 - (B) Registration with a licensing agency, if required;
 - (C) On-the-job training and related technical instruction progress;
 - (D) Any advancements, certifications, or commendations obtained by the apprentice during the course of the program; and
 - (E) Any other records pertinent to the apprentice or the conduct of the program;
 - (11) Establish start and stop times for classroom instruction;
 - (12) Be responsible for the administration and financing of their local programs; and
 - (13) Notify the United States Office of Apprenticeship and the Office of Apprenticeship of the Office of Skills Development of all apprentice actions listed under 17 CAR § 37-107(e) within forty-five (45) days of the action.
- (b) In addition to the duties listed in subsection (a) of this section, local apprenticeship committees shall:
- (1)(A) Hold meetings at least once a month.
 - (B) Special meetings may be called by the chair or by a petition of the majority of the members;
 - (2) Annually elect a chair and secretary who shall retain the power to vote on all matters before the local apprenticeship committee; and
 - (3) Establish rules and procedures to govern meetings.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-107. Apprenticeship funding.

(a) A program sponsor will be eligible to apply for apprenticeship funding through the Office of Apprenticeship of the Office of Skills Development based on the following:

- (1) Number of contact hours of related technical instruction as approved in their apprenticeship standards;
- (2) Number of apprentices;
- (3) Number of qualified instructors;
- (4) Length of the apprenticeship program; and
- (5) Any other factors outlined in the Office of Apprenticeship of the Office of Skills Development funding guidelines for the fiscal year.

(b)(1) The Office of Apprenticeship of the Office of Skills Development shall develop application packets which shall be sent to program sponsors seeking funding to support apprenticeship within the State of Arkansas.

(2) The Office of Apprenticeship of the Office of Skills Development shall establish an application deadline in consultation with the Arkansas Apprenticeship Coordination Steering Committee.

(3) The Office of Apprenticeship of the Office of Skills Development will approve or deny all applications based on guidelines approved by the Office of Apprenticeship of the Office of Skills Development in consultation with the committee.

(4) The Office of Apprenticeship of the Office of Skills Development will approve or deny applications within sixty (60) days following the application deadline.

(5) Local education entities and program sponsors that do not submit an application within the specified deadline will not be eligible for Office of Apprenticeship of the Office of Skills Development funding for the contract year.

(6) The Office of Apprenticeship of the Office of Skills Development shall make every reasonable effort to give statewide notification to potential program sponsors of the amount of funding available to support apprenticeship training programs during the current fiscal year.

(c)(1) The Office of Apprenticeship of the Office of Skills Development shall establish contact hour reimbursement rates in consultation with the committee.

(2) Apprenticeship training programs will be reimbursed up to the contact hour reimbursement rate based off actual qualified instructor expenses incurred.

(3) Correspondence courses used to deliver related technical instruction do not have contact hours and are not eligible for funding under this section.

(4) The Office of Apprenticeship of the Office of Skills Development shall include information concerning reimbursement procedures in its funding guidelines.

(d)(1) If the Office of Apprenticeship of the Office of Skills Development has remaining apprenticeship reimbursement funds at the end of the fiscal year, accepted applicants may submit reimbursement requests for administrative expenses incurred during the fiscal year.

(2) An apprenticeship training program will not be eligible to receive more than fifteen percent (15%) of the total amount received for qualified instructor reimbursement as reimbursement for administrative expenses.

(3) Administrative expenses eligible for reimbursement include the

following:

(A) Payroll costs, including salaries and fringe benefits, for:

- (i) Supervisors;
- (ii) A secretary;
- (iii) A clerk; and
- (iv) Instructors;

(B)(i) Contract or service costs.

under this provision.

(ii) Instruction space rentals are eligible for reimbursement

(iii) Consulting fees are not eligible for reimbursement; and

(C) Supplies and instructional materials including, but not limited

to:

- (i) Stationary;
- (ii) Pens and pencils;
- (iii) Workbooks; and
- (iv) Consumable construction and industrial materials used

by the apprentice.

(e)(1) All apprenticeship programs approved for funding shall be required to submit apprentice information to the Office of Apprenticeship of the Office of Skills Development via the Arkansas Apprenticeship Portal.

(2) The required apprentice information includes, but is not limited to:

- (A) New apprentice;
- (B) Suspensions;
- (C) Cancellations;
- (D) Transfers;
- (E) Completion;
- (F) Semester hours earned;
- (G) The employer list outlined in Arkansas Code § 6-52-208(e)(1);

and

(H) All other information outlined in the agreement between the apprenticeship program and the Office of Apprenticeship of the Office of Skills Development.

(f) Apprenticeship programs should allow for one (1) month of processing after all paperwork and reimbursement requests have been submitted.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-108. Plumbing apprenticeship programs.

(a)(1) The provisions in this section govern plumbing apprenticeship programs and are supplemental to the requirements outlined in 17 CAR §§ 37-101 – 37-107, unless otherwise specified by this section.

(2) Terms shall have the definitions provided in 17 CAR § 37-101, unless a different definition is provided in subsection (b) of this section, in which case, that

definition will control.

(b) As used in this part:

(1) "Apprentice plumber" means a person other than a master or journeyman plumber, who:

(A) Is at least sixteen (16) years of age; and

(B) Has entered into a valid plumbing apprenticeship agreement;

(2) "Committee of Plumbing Examiners" means individuals designated by the State Board of Health to determine the eligibility of applicants for a master or journeyman plumber license in accordance with Arkansas Code § 17-38-301 et seq.;

(3) "Employer" means any master plumber representing themselves or a company that performs plumbing work in the State of Arkansas;

(4) "Experienced credit" means related technical instruction and on-the-job training granted for documented out-of-state work, in-state work while duly registered under this part, or work done prior to January 1, 1984;

(5) "Journeyman plumber" means any person other than a master or apprentice plumber who is:

(A) Duly licensed under Arkansas Code § 17-38-301 et seq.; and

(B) Engaged in the practical installation of plumbing;

(6) "Laborer" means any person engaged in trenching, transporting supplies, demolition, etc., whose primary function is physical in nature;

(7) "Master plumber" means any person other than a journeyman or apprentice plumber who is:

(A) Duly licensed under Arkansas Code § 17-38-301 et seq.;

(B) Skilled in the planning, superintending, and practical installation of plumbing; and

(C) Familiar with the laws and rules governing it;

(8) "Plumbing inspector" means an individual duly licensed by the Department of Health in accordance with Arkansas Code § 17-38-301; and

(9) "State Plumbing Apprenticeship Committee" means the body of individuals appointed by the Career Education and Workforce Development Board pursuant to Arkansas Code § 17-38-403.

(c)(1)(A) No person shall engage in work as an apprentice plumber unless registered by the Plumbing and Natural Gas Section, the United States Office of Apprenticeship, and the Office of Apprenticeship of the Office of Skills Development.

(B) The apprentice, and if a minor, their parent or guardian, shall sign an apprenticeship agreement with the Department of Health and the United States Office of Apprenticeship.

(2) The employer of an apprentice plumber must be a master plumber who signs an employer acceptance agreement to abide by this part.

(3)(A) In order to establish an apprenticeship record, every apprentice plumber shall be registered with the program sponsor, the Department of Health, the United States Office of Apprenticeship, and the Office of Apprenticeship of the Office of Skills Development within thirty (30) days after employment.

(B) It is the responsibility of the master plumber to ensure that the

apprentice is duly licensed, enrolled in, and attending an apprenticeship program.

(C) The Committee of Plumbing Examiners may take action against a master plumber for working an apprentice beyond the thirty-day limit without being registered.

(4)(A)(i) An applicant must submit a request for experienced credit within sixty (60) days of the date of application.

(ii) Requested credit must be substantiated through notarized records, affidavits, or other evidence.

(B) Work experience used as a basis for experienced credit must have a start and end date listed (to the present if the applicant's current job is being used) and the amount of on-the-job training hours obtained during that time frame should be listed.

(C) Work experience should be described with sufficient detail to provide a clear understanding of the work that was performed.

(D) If a license or registration was required in the state where the work was performed, a copy of the license or registration, valid during the time period in question, should be provided.

(E)(i) Time requested for experienced credit shall be evaluated by the local apprenticeship committee, if in existence, and approved by the State Plumbing Apprenticeship Committee.

(ii) In the absence of the local apprentice committee, requested time shall be evaluated by the State Plumbing Apprenticeship Committee.

(F) The applicant may be required to take an examination to verify their knowledge about subjects for which experienced credit is requested.

(G) Experienced credit may be granted for related technical instruction where the applicant has attended an Arkansas Certified Pre-apprenticeship Program or college/vocational program approved by the Office of Apprenticeship of the Office of Skills Development where the classes taken match with an apprenticeship program's related technical instruction.

(H)(i) The term of apprenticeship shall be a minimum of:

(a) Four (4) years consisting of eight (8) periods of one thousand (1,000) hours of practical work experience; and

(b) Eight (8) periods of eighty (80) hours of related technical instruction.

(ii) Training time received through a pre-apprenticeship program prior to entering a registered apprenticeship program may be counted towards the time requirement above.

(I)(i) An apprentice who successfully completes the required apprenticeship term will be eligible to take the state journeyman plumber's examination as administered by the Plumbing and Natural Gas Section.

(ii) Upon completion of the apprenticeship, a notice will be sent to the Office of Apprenticeship of the Office of Skills Development by the program sponsor informing it of the apprentice's completion.

(iii) Upon verification of the completion, the Office of

Apprenticeship of the Office of Skills Development will provide the release to test to the program sponsor.

(iv) The apprentice shall have one (1) year from the date of completion of the apprenticeship to pass the state journeyman plumber's examination.

(v) The Plumbing and Natural Gas Section will notify the Office of Apprenticeship of the Office of Skills Development of the test results.

(vi) The apprentice must pass the examination before being released by the program sponsor from their indenture agreement.

(d)(1) The apprentice shall enroll in and attend classes in related subjects at an apprenticeship program that is approved by the United States Office of Apprenticeship and the Office of Apprenticeship of the Office of Skills Development.

(2)(A)(i) The approved occupation titled program is Plumber (0432) V1 Time-Based.

(ii) This program requires six hundred forty (640) hours of related technical instruction.

(B) Apprentices may receive up to three hundred twenty (320) related technical instruction hours by correspondence work.

(3) The apprentices shall take advantage of provided instruction in recognized apprenticeship classes during periods of temporary unemployment.

(4) Class attendance is mandatory, and failure to attend classes in related technical instruction may result in discipline up to and including termination of the apprenticeship agreement.

(5)(A) Apprentices will attend classes on their own time.

(B) Class attendance shall not be considered as hours worked.

(6) The program sponsor shall not recognize any apprentice with whom they have not signed an apprenticeship agreement or who is not registered with the Department of Health, the United States Office of Apprenticeship, and the Office of Apprenticeship of the Office of Skills Development.

(e) All work done by apprentices as training shall conform with state and local plumbing codes and the apprenticeship program's United States Office of Apprenticeship Standards of Apprenticeship.

(f) The State Plumbing Apprenticeship Committee, comprised pursuant to Arkansas Code § 17-38-403, shall have the following duties:

(1) Annually electing a chair and co-chair who shall retain the power to vote in all matters before the State Plumbing Apprenticeship Committee;

(2)(A) Holding monthly meetings if there are items requiring discussion or approval.

(B) Special meetings may be called by the chair or by a petition of a majority of the members of the State Plumbing Apprenticeship Committee.

(C) The chair shall call a special meeting when necessary to hear appeals;

(3) Assisting and advising local apprenticeship committees upon request;

(4) Evaluating local plumbing apprenticeship training programs for compliance with the United States Office of Apprenticeship, the Office of Apprenticeship

of the Office of Skills Development, and its own policies;

(5)(A) Serving as an appeal board for apprentices, employers, and local apprenticeship committees.

(B) Any person may appeal directly to the State Plumbing Apprenticeship Committee for review;

(6) Providing interpretations for training standards;

(7) Approving plumbing curriculum eligible for reimbursement through the Construction Industry Craft Training Trust Fund; and

(8) Making final determinations on experienced credit requests.

(g) A plumbing program sponsor or local apprenticeship committee shall:

(1) Review apprenticeship agreements between the employer and apprentice and submit those agreements to the United States Office of Apprenticeship and the Plumbing and Natural Gas Section;

(2) Ensure that all apprentices are duly registered with the Plumbing and Natural Gas Section within thirty (30) days of employment by a master plumber and registration by the program sponsor;

(3) Notify the United States Office of Apprenticeship, the Office of Apprenticeship of the Office of Skills Development, and the Plumbing and Natural Gas Section of all actions affecting apprenticeship such as new hires, completions, suspensions, and cancellations within thirty (30) days of the action;

(4) Establish starting and stopping times for classroom instruction to ensure the completion of eight (8) periods of eighty (80) hours or as approved by the United States Office of Apprenticeship;

(5) If a program is found to be in violation of this part, the Office of Apprenticeship of the Office of Skills Development, in consultation with the State Plumbing Apprenticeship Committee, shall contact the Plumbing and Natural Gas Section and request that the program's ability to register new apprentices, renew licenses, and have their apprentices approved to test be held until all of the program is in compliance;

(6)(A) Local apprenticeship committees shall hold semiannual meetings.

(B) Special meetings may be called by the chair or by a petition of a majority of members; and

(7) Annually elect a chair and a secretary who shall retain the power to vote on all matters before the local apprenticeship committee.

(h)(1) Apprentice plumbers shall be subject to a probationary period not to exceed one thousand (1,000) practical work experience hours.

(2) During the probationary period, the local apprenticeship committee, employer, or apprentice may request an annulment of the apprenticeship agreement without a formal hearing.

(3) Apprentices shall receive credit for time worked under the probationary period.

(i)(1) Should an apprentice fail to attend on-the-job training or related technical instruction, the local apprenticeship committee or program sponsor shall take the necessary disciplinary action.

(2) The local apprenticeship committee or program sponsor may cancel the apprenticeship agreement and remove an apprentice from the training program for failing to comply with the terms of the apprenticeship agreement or applicable standards.

(3)(A)(i) Before taking any disciplinary action, the local apprenticeship committee or program sponsor shall notify the apprentice by certified mail that they should appear before the local apprenticeship committee at the designated date.

(ii) The notice should specify the grounds for disciplinary action.

(B) If, after receiving due notice, an apprentice fails to appear before the local apprenticeship committee, disciplinary action may be invoked.

(C) In the absence of a local apprenticeship committee, the State Plumbing Apprenticeship Committee shall function in its stead.

Authority. Arkansas Code §§ 17-38-402, 25-30-102.

17 CAR § 37-109. Electrical apprentice programs.

(a)(1) The provisions in this section govern electrical apprenticeship programs and are supplemental to the requirements outlined in 17 CAR §§ 37-101 – 37-107, unless otherwise specified by this section.

(2) Terms shall have the definitions provided in 17 CAR § 37-101, unless a different definition is provided in subsection (b) of this section, in which case, that definition will control.

(b) As used in this part:

(1) "Apprentice electrician" means a person:

(A) Who is at least sixteen (16) years of age, covered by the required apprenticeship agreements; and

(B) Whose principal occupation is the learning of and assisting in the installation of electrical work under the direct supervision of a licensed journeyman or master electrician;

(2) "Board of Electrical Examiners of the State of Arkansas" means individuals designated by the Department of Labor and Licensing pursuant to Arkansas Code § 17-28-201;

(3) "Employer" means any master electrician representing themselves or a company who signs an apprenticeship agreement to abide by this part;

(4) "Journeyman electrician" means any duly licensed person who possesses the necessary qualifications, training, and technical knowledge to install, maintain, and extend electrical conductors and equipment in accordance with plans and specifications which comply with standard rules governing the work;

(5) "Master electrician" means any duly licensed person who possesses the necessary qualifications, training, and technical knowledge to plan, layout, and supervise the installation, maintenance, and extension of electrical conductors and equipment; and

(6) "State Electrical Apprenticeship Committee" means people designated

by the Career Education and Workforce Development Board pursuant to Arkansas Code § 17-28-314.

(c)(1) No person shall engage in work as an apprentice electrician unless first registered to do so by the Department of Labor and Licensing, the United States Office of Apprenticeship, and the Office of Apprenticeship of the Office of Skills Development.

(2)(A) The employer of an apprentice electrician must be a master electrician licensed in the State of Arkansas who signs an employer acceptance agreement with the United States Office of Apprenticeship to abide by the rules of apprenticeship.

(B) Apprentices of residential master electricians, as defined in Arkansas Code § 17-28-101(11), are exempted from this requirement but are limited to an apprenticeship term of two (2) years.

(3)(A)(i) The information for apprentice electrician registration shall be on an application form supplied by the department.

(ii) The application form shall be completed before consideration by the department, the Office of Apprenticeship of the Office of Skills Development, and the United States Office of Apprenticeship.

(B) To establish a record of apprenticeship, every apprentice electrician shall, within thirty (30) days after employment, be registered with the department, the local apprenticeship committee or program sponsor, the Office of Apprenticeship of the Office of Skills Development, and the United States Office of Apprenticeship.

(C) It is the responsibility of the master electrician to ensure that the apprentice is licensed, enrolled in, and attending an apprenticeship program.

(D) The Board of Electrical Examiners of the State of Arkansas may take action against a master electrician for working an apprentice for over thirty (30) days without being so registered.

(4)(A) The term of apprenticeship shall be a minimum of four (4) years consisting of eight (8) periods of one thousand (1,000) hours of practical work experience and eight (8) periods of seventy-two (72) hours of related classroom instruction in technical and supplemental subjects related to the trade or as approved by the United States Office of Apprenticeship.

(B) Classroom instruction time obtained through a pre-apprenticeship program may be considered as time counted towards completion of apprenticeship.

(5)(A) An apprentice who successfully completes the required apprenticeship term will be eligible to take the state journeyman electrician examination as administered by the department.

(B) Upon completion of the apprenticeship, a notice will be sent to the Office of Apprenticeship of the Office of Skills Development by the program sponsor informing it of the apprentice's completion.

(C) Upon verification of the completion, the Office of Apprenticeship of the Office of Skills Development will provide the release to test to the program sponsor.

(D) Unless officially excused by the department, each apprentice should apply with the department for the journeyman electrician examination within sixty (60) days after completion of their apprenticeship.

(6)(A)(i) An applicant must submit a request for experienced credit within sixty (60) days of the date of application.

(ii) Requested credit must be substantiated through notarized records, affidavits, or other evidence.

(B) Work experience used as a basis for experienced credit must have a start and end date listed (to the present if the applicant's current job is being used) and the amount of on-the-job training hours obtained during that time frame should be listed.

(C) Work experience should be described with sufficient detail to provide a clear understanding of the work that was performed.

(D) If a license or registration was required in the state where the work was performed, a copy of the license or registration valid during the time period in question should be provided.

(E)(i) Time requested for experienced credit shall be evaluated by the local apprenticeship committee, if in existence, and approved by the State Electrical Apprenticeship Committee.

(ii) In the absence of the local apprenticeship committee, requested time shall be evaluated by the State Electrical Apprenticeship Committee.

(F) The applicant may be required to take an examination to verify their knowledge about subjects for which experienced credit is requested.

(G) Experienced credit may be granted for related technical instruction where the applicant has attended an Arkansas Certified Pre-apprenticeship Program or college/vocational program approved by the Office of Apprenticeship of the Office of Skills Development where the classes taken match with an apprenticeship program's related technical instruction.

(7)(A) The apprentice shall enroll in and attend classes in related subjects at an apprenticeship program that is approved by the United States Office of Apprenticeship and the Office of Apprenticeship of the Office of Skills Development.

(B)(i) The approved occupation titled program is Electrician (Alternate Title: Interior Electrician) (0159) V1 Time-Based or other approved program.

(ii) This program requires five hundred seventy-six (576) hours of related technical instruction.

(C) Apprentices shall take advantage of provided instruction in recognized apprenticeship classes during periods of temporary unemployment.

(D) Class attendance is mandatory, and failure to attend classes in related technical instruction may result in discipline up to and including termination of the apprenticeship agreement.

(E)(i) Apprentices will attend classes on their own time.

(ii) Class attendance shall not be considered as hours worked.

(F) The program sponsor shall not recognize any apprentice with

whom they have not signed an apprenticeship agreement or who is not registered with the department, the United States Office of Apprenticeship, and the Office of Apprenticeship of the Office of Skills Development.

(d) The State Electrical Apprenticeship Committee shall:

(1) Assist and advise local apprenticeship committees;

(2) Evaluate local apprenticeship training programs for compliance with the United States Office of Apprenticeship, the Office of Apprenticeship of the Office of Skills Development, and its own policies;

(3)(A) Serve as an appeal board for apprentices, employers, and local apprenticeship committees.

(B) Any person may appeal directly to the State Electrical Apprenticeship Committee for review;

(4) Provide interpretations for training standards;

(5) Annually elect a chair, co-chair, and secretary who shall retain the power to vote in all matters before the State Electrical Apprenticeship Committee;

(6)(A) Hold meetings monthly if there are items requiring discussion or approval.

(B) The chair may call special meetings when necessary to hear appeals;

(7) Approve electrical curriculum eligible for reimbursement through the Construction Industry Craft Training Trust Fund; and

(8) Make final determinations on experienced credit requests.

(e)(1) An electrical apprenticeship program sponsor shall:

(A) Review apprenticeship agreements between the employer and apprentice and submit those agreements to the United States Office of Apprenticeship and the department;

(B) Ensure that all apprentices are duly registered with the department within thirty (30) days of employment by a master electrician and registration by the program sponsor;

(C) Notify the United States Office of Apprenticeship, the Office of Apprenticeship of the Office of Skills Development, and the department of all actions affecting apprenticeship such as new hires, completions, suspensions, and cancellations within thirty (30) days of the action; and

(D) Establish starting and stopping times for classroom instruction to ensure the completion of eight (8) periods of seventy-two (72) hours or as approved by the United States Office of Apprenticeship.

(2) If a program is found to be in violation of this part, the Office of Apprenticeship of the Office of Skills Development, in consultation with the State Electrical Apprenticeship Committee, shall contact the department and request that the program's ability to register new apprentices, renew licenses, and have their apprentices approved to test be held until the program is in compliance.

(3) Local apprenticeship committees shall:

(A)(i) Hold semiannual meetings.

(ii) Special meetings may be called by the chair or by a

petition of a majority of members; and

(B) Annually elect a chair and a secretary who shall retain the power to vote on all matters before the local apprenticeship committee.

(f)(1) Apprentice electricians shall be subject to a probationary period not to exceed one thousand (1,000) practical work experience hours.

(2) During the probationary period, the local apprenticeship committee, employer, or apprentice may request an annulment of the apprenticeship agreement without a formal hearing.

(3) Apprentices shall receive credit for time worked under the probationary period.

(g)(1) Should an apprentice fail to attend on-the-job training or related technical instruction, the local apprenticeship committee or program sponsor shall take the necessary disciplinary action.

(2) The local apprenticeship committee or program sponsor may cancel the apprenticeship agreement and remove an apprentice from the training program for failing to comply with the terms of the apprenticeship agreement or applicable standards.

(3)(A)(i) Before taking any disciplinary action, the local apprenticeship committee or program sponsor shall notify the apprentice by certified mail that they should appear before the local apprenticeship committee at the designated date.

(ii) The notice should specify the grounds for disciplinary action.

(B) If an apprentice fails to appear before the local apprenticeship committee after receiving due notice, disciplinary action may be invoked.

(C) In the absence of a local apprenticeship committee, the State Electrical Apprenticeship Committee shall function in its stead.

Authority. Arkansas Code §§ 17-28-313, 25-30-102.

17 CAR § 37-110. Pre-apprenticeship programs.

(a)(1) Pre-apprenticeship programs provide instruction and training to increase math, literacy, and other vocational skills needed to gain industry into a registered apprenticeship program.

(2) Pre-apprenticeship programs are not registered with the United States Office of Apprenticeship and student participants are unpaid for the term of the program.

(b) The following entities are eligible to apply for state certification:

- (1) Registered apprenticeship sponsors;
- (2) Industry intermediaries and associations;
- (3) Employers;
- (4) Community colleges;
- (5) Third-party training providers;
- (6) Local workforce development boards; and
- (7) Other entities, provided that all applicable requirements are met.

(c) An applicant must meet the following criteria to be considered for ARPAP certification:

(1) The proposed pre-apprenticeship training must be aligned with a RAP and agreed upon by the partnering employer, training provider, and RAP sponsor;

(2) An employer-partnership agreement executed between the partnering employer, pre-apprenticeship training providers, and registered apprenticeship program sponsors must be presented with the application;

(3)(A) The partnering ARPAP employer shall provide pre-apprentices with workplace exposure opportunities as a component of the pre-apprenticeship training experience.

(B) Workplace exposure can occur via presentations about the company, industry, or career pathways, as well as hands-on activities applicable to specific operations within the company; and

(4) The partnering ARPAP employer shall agree to provide those participants who successfully complete an approved ARPAP with preferred consideration for acceptance into their RAP.

(d)(1)(A) The Office of Apprenticeship of the Office of Skills Development shall receive and review all ARPAP applications.

(B) The Arkansas Apprenticeship Coordination Steering Committee will be notified of the final status for all ARPAP applications.

(2)(A) If an applicant fails to meet the requirements in subsection (c) of this section, the Office of Apprenticeship of the Office of Skills Development will notify the applicant and provide an opportunity to remedy any deficiencies within a stated deadline.

(B) If the applicant fails to remedy the identified deficiencies within the specified deadline, the application will be denied.

(3) All successful ARPAP applicants are required to report to the Office of Apprenticeship of the Office of Skills Development as specified in a memorandum of understanding issued by the Office of Apprenticeship of the Office of Skills Development.

(e) State-approved ARPAP applications are eligible to receive funding from the Office of Skills Development to offset training costs associated with the program.

(f)(1) Those successfully completing the ARPAP will receive related technical instruction credit toward their designated RAP.

(2) The amount of credit received will be mutually agreed upon by participating sponsors and employers.

(g) It is recommended that successful ARPAP participants enter a RAP at a wage above those entering without comparable ARPAP experience.

(h) ARPAP participants shall provide all required reporting to the Office of Skills Development.

Authority. Arkansas Code § 25-30-102.

17 CAR § 37-111. Construction Industry Craft Training Trust Fund.

(a)(1) The Office of Apprenticeship of the Office of Skills Development, in collaboration with the Arkansas Apprenticeship Coordination Steering Committee, will make every effort to ensure the fair and equitable distribution of funds under this section.

(2)(A) Any disputes regarding the disbursement of funds under this section shall be addressed at the earliest regular meeting of the committee.

(B) The funding dispute shall be resolved by a majority decision of the committee.

(3)(A) Applicants may apply for funds under this section through an application process decided upon by the Office of Apprenticeship of the Office of Skills Development in consultation with the committee.

(B) Application forms may be received by contacting the Office of Apprenticeship of the Office of Skills Development.

(b)(1) The Office of Apprenticeship of the Office of Skills Development, in consultation with the committee, shall develop funding guidelines by August 1 for each fiscal year.

(2) Funding guidelines shall include the:

(A) Total funding amount;

(B) Items eligible for reimbursement; and

(C) Reimbursement percentages.

(c)(1) Program sponsors wishing to receive funding for training programs shall meet the following criteria:

(A) The program must be performing actual work in the State of Arkansas;

(B) The training must take place in the State of Arkansas or have the Office of Apprenticeship of the Office of Skills Development and committee prior approval for out-of-state training; and

(C) The program is currently sponsoring a training, apprenticeship, or educational program approved by or registered with the Office of Apprenticeship of the Office of Skills Development, the United States Office of Apprenticeship, or both.

(2)(A) If a program meets the above criteria, it will be judged on the appropriateness of its application and grant awards will be made, in whole or in part, to programs recommended by the committee and approved by the Office of Apprenticeship of the Office of Skills Development after the Office of Apprenticeship of the Office of Skills Development has received the proof of payment for the items on the application.

(B) Any program may be rejected for cause.

(C)(i) Grant awards shall be for specific training materials and activities.

(ii) Program sponsors may apply as often as necessary to meet the demands for a trained workforce in Arkansas.

(d) Funding requests for equipment purchases shall provide the following information:

(1) A complete description of all pieces of equipment and, if the cost is

over one thousand dollars (\$1,000), at least three (3) or more competitive bids and an explanation of why the selected piece of equipment was chosen;

(2)(A) The current location of the equipment in question and the party responsible for its maintenance and upkeep.

(B) If the equipment ever changes locations, the program is required to inform the Office of Apprenticeship of the Office of Skills Development as soon as possible of the new location; and

(3) A copy of the bill of sale or paid invoice for the equipment, which the Office of Apprenticeship of the Office of Skills Development shall include in its files for the grantee.

Authority. Arkansas Code §§ 6-55-108, 25-30-102.