

WAC 296-05-105 Individual apprentice complaints—Procedures.

(1) Except as provided otherwise by federal or state law, the apprentice must complete the initial probationary period in order to be eligible to appeal the program sponsor's decision on a complaint.

(2) Complaints involving matters covered by a collective bargaining agreement are not subject to the complaint procedures in this section.

(3) Complaints regarding nondisciplinary matters must be filed with the program sponsor within thirty calendar days from the date of the last occurrence. Complaints must be in writing.

(4) If the apprentice disagrees with the resolution of the complaint or wishes to contest the outcome of a disciplinary action by the program sponsor, the apprentice must file a written request for reconsideration with the program sponsor within thirty calendar days from the date the apprentice received written notice of action by the program sponsor.

(5) The program sponsor must reply, in writing, to the request for reconsideration within thirty calendar days from the date the program sponsor receives the request. The program sponsor must send a copy of the written reply to the apprentice within the thirty calendar days.

(6) Appeal to apprenticeship section: If the apprentice disagrees with the program sponsor's decision, the apprentice may file an appeal with the apprenticeship section within thirty days from the date the program sponsor provides the decision to the apprentice.

(a) If the apprentice does not file an appeal within thirty days, the decision of the program sponsor is final.

(b) Appeals must describe the subject matter of the appeal in detail and include a copy of the decision of the program sponsor being appealed along with any documents or correspondence relevant to the complaint. The apprentice must send a copy of the complaint to the interested local committee or other organization. The apprenticeship section will complete an investigation within thirty days from the date the appeal is received and attempt to resolve the appeal. If the controversy is not settled during the investigation, the supervisor must issue a written decision resolving the controversy when the investigation is concluded.

(7) Request for review to WSATC: Following an appeal to the apprenticeship section, either party may file a request for review to the WSATC. Requests for review to the WSATC must be in writing. Requests for review must be filed within thirty days from the date the decision is mailed to the parties. The WSATC will conduct an informal hearing to consider the request for review. The WSATC will issue a written decision resolving the request for review, which is the final decision of the WSATC. All parties will receive a copy of the WSATC's written decision. The WSATC conducts hearings as described in WAC 296-05-008.

[Statutory Authority: RCW 49.04.010 and 19.285.040. WSR 18-17-149, § 296-05-105, filed 8/21/18, effective 10/10/18. Statutory Authority: RCW 49.04.010, 2001 c 204, and chapter 49.04 RCW. WSR 01-22-055, § 296-05-105, filed 10/31/01, effective 1/17/02.]