

**WAC 296-05-207 Certification of apprentice labor standard on renewable energy projects.** (1) The WSATC establishes minimum levels of apprentice labor hours to be met through apprenticeship programs so that utilities can qualify for renewable energy credits as defined in RCW 19.85.040.

(2) The WSATC certifies a renewable energy project meets the required minimum when an applicant can show:

(a) A minimum of fifteen percent of the total labor hours used to construct the project are apprentice hours;

(b) Labor hours meet the definition in RCW 39.04.310(3). Hours worked by foremen, superintendents, owners, and workers who are not subject to prevailing wages must be reported and included in the total labor hours if the foreman, superintendent, or worker is counted in satisfying the required apprentice to journey supervision ratio as required by apprenticeship standards;

(c) The applicant requests certification within forty-five days of the start of the on-site construction for the project.

(3) Requests for certification are filed with the department and heard by the council at the council's next regular quarterly meeting. Requests for certification must include:

(a) The name, occupational title, and registration number for each registered apprentice;

(b) The number of apprentices and labor hours worked, categorized by occupational title and employer;

(c) The number of journey level workers and labor hours worked, categorized by occupational title and employer;

(d) Copies of weekly or monthly reporting forms and certified payroll records used to capture the required information;

(e) A statement affirming the hours reported meet the definition of "labor hours" as defined by subsection (2)(b) of this section.

(4) The department reviews requests for certification and recommends to the WSATC whether the request should be granted.

(5) The WSATC decides whether requests for certification are granted within thirty days from the date the matter is heard at the quarterly meeting. The WSATC can:

(a) Grant the request for certification;

(b) Deny the request for certification;

(c) Defer the request for certification and ask for additional information.

(6) If the request is granted, the WSATC certifies the apprentice labor hours on the project.

(7) If the request is denied, the aggrieved party may file an appeal pursuant to chapter 34.05 RCW.

[Statutory Authority: RCW 49.04.010 and 19.285.040. WSR 18-17-149, § 296-05-207, filed 8/21/18, effective 10/10/18. Statutory Authority: Chapter 49.04 RCW and RCW 19.285.040. WSR 11-11-002, § 296-05-207, filed 5/4/11, effective 7/25/11. Statutory Authority: RCW 49.04.010, 2001 c 204, and chapter 49.04 RCW. WSR 01-22-055, § 296-05-207, filed 10/31/01, effective 1/17/02.]