

**WAC 296-128-120 Conditions governing issuance of learner certificates.** The following conditions shall govern the issuance of a special certificate authorizing the employment of learners at subminimum wage rates:

(1) An adequate supply of qualified experienced workers is not available for employment; the experienced workers presently employed in occupations in which learners are requested, are afforded an opportunity for full time employment; learners are available for employment; and the granting of a certificate is necessary to prevent curtailment of employment opportunities.

(2) Reasonable efforts have been made to obtain experienced workers, including the placement of an order with the employment security office of the state of Washington.

(3) The issuance of a learner certificate will not tend to create unfair competitive labor cost advantages nor have the effect of impairing or depressing wage or working standards established for experienced workers for work of a like or comparable character in the industry.

(4) Abnormal labor conditions such as a strike, lock-out or other similar condition do not exist at the place of business for which a learner certificate is requested.

(5) There are no serious outstanding violations of the provisions of learner certificates previously issued to the employer, nor have there been any serious violations of the Washington Minimum Wage and Hour Act which provide reasonable grounds to believe that the terms of a certificate may not be complied with.

(6) The occupation or occupations in which learners are to receive training require a sufficient degree of skill to necessitate an appreciable training period.

(7) Learners shall be afforded every reasonable opportunity for continued employment upon completion of the learning period.

(8) Unless otherwise specified in the learner certificate, a learning program shall not exceed four hundred eighty hours of employment, and the total hours worked in any establishment by learners shall not exceed ten percent of the total hours normally worked by experienced workers in such establishment: Provided, That where less than ten experienced workers are employed by an employer, a learner certificate may authorized the employment of learners for a maximum of forty hours per week under a bona fide learner program.

[\$ 5, Regulation 294.6.003, filed 3/23/60.]