

WAC 296-05-109 Apprenticeship program compliance reviews and sanctions.

(1) The apprenticeship section conducts reviews as required by RCW 49.04.030 to determine a program's compliance with chapter 49.04 RCW, 29 C.F.R. Parts 29 and 30, and these rules. Compliance reviews consist of a comprehensive analysis and evaluation, including an on-site visit and performance review. Compliance reviews may be required for all existing programs on a regular and comprehensive basis.

(2) Compliance reviews may be conducted when:

(a) The WSATC receives a complaint about a program that has not been referred to a private review body;

(b) A sponsor seeks to register a new program or reregister an existing program;

(c) A review is necessary, within the discretion of the apprenticeship section or the WSATC.

(3) When a compliance review finds a program is not in compliance with its approved program standards or these rules, the supervisor of apprenticeship must:

(a) Notify the program sponsor of the results of the compliance review in writing and identify steps the program sponsor can make to be in compliance;

(b) Provide a reasonable opportunity for the program sponsor to correct any deficiencies identified in the compliance review;

(c) Provide notice of potential sanctions, if any, for noncompliance.

(4) Sanctions: When a program sponsor has not taken corrective action to address material deficiencies identified by the apprenticeship section in a compliance review, and the apprenticeship supervisor determines the program sponsor refuses to correct deficiencies, the WSATC must, at the request of the supervisor:

(a) Begin proceedings to cancel the program's registration IAW WAC 296-05-200;

(b) Refer the matter to the equal employment opportunity commission;

(c) Refer the matter to the attorney general with recommendations for the institution of a court action under Title VII of the Civil Rights Act of 1964, as amended; or any other court action as authorized by law.

(5) When a program is provisionally approved, and the supervisor identifies deficiencies in a performance review, the WSATC may continue provisional program approval through the first full training term, or rescind program approval.

[Statutory Authority: RCW 49.04.010 and 19.285.040. WSR 18-17-149, § 296-05-109, 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, § 296-05-109, filed 10/31/01, effective 1/17/02.]