

APPRENTICE AGREEMENT **RULES AND REGULATIONS**

ARTICLE I: THE TRUSTEES OF THE FTI AND ADMINISTRATION OF THE PROGRAM

The JATC: The Trustees of the FTI govern all aspects of the Program. The Trustees, who are composed of an equal number of Union and Management representatives, are called the Joint Apprentice Training Committee (“JATC”). The JATC meets quarterly during a fiscal year.

The Trustees of the FTI are responsible for the content of the Program’s instruction, the training of Program participants, the organization of the Program, the standards of performance and conduct that are applicable to Program participants, the administration and management of the Program, and every other aspect of the Program activity and function. **It is within the power of the Joint Apprentice Training Committee to take any and all actions of any character, including but not limited to withholding wage increases and dispensing whatever disciplinary action they deem necessary in their sole and exclusive judgment, in order to achieve the objectives and requirements of the Program.**

Director of Education: In accordance with the directives of the FTI, the Program is administered on a day to day basis by the Director of Education. The Director of Education has overall responsibility for the operations of the FTI, the FTI premises, implementing these Rules, carrying out the directions of the Trustees, and ensuring that the conduct of the FTI is consistent with its objectives and policies. Any questions or problems related to the FTI, these Rules, or your participation in the Program may be addressed to the Director of Education.

The Craft Coordinators: In accordance with the directives of the FTI, each trade within the Program is to be administered, under the supervision of the Director, by a Craft Coordinator. The Craft Coordinators are responsible for the day to day activities of their specific Program, including all aspects of a participant’s instruction, participation and training. Any questions or problems related to your instruction, participation and training within your specialty should be addressed to the appropriate Craft Coordinator or Director of Education.

The Program Administrative Committee (PAC): In accordance with directives of the FTI, a Program Administrative Committee (PAC) shall exist and report to the FTI Board of Trustees. The PAC shall consist of the Director of Education (chairperson), the Craft Coordinators, and other Program Coordinators as may be designated by the Director. The PAC shall carry out the functions, which are assigned to it by the FTI and the Director of Education.

The Craft Committees: In accordance with the directives of the FTI, a craft committee shall exist for each craft. Each craft committee shall report to the PAC. The craft committees shall consist of the Craft Coordinator (chairperson), industry employers, and additional persons as appointed by the Training Coordinator, with the approval of the Director of Education. The Director of Education shall be an ex-officio member of all craft committees. The craft committees shall carry out the functions, which are assigned to them by the FTI, the PAC, and the Director of Education.

Program Sub-Committees: The Director may appoint subcommittees in any area of program function or administration as deemed necessary. Such subcommittees shall report to the Director and, through the Director, to the PAC.

ARTICLE II: THE FTI PROGRAM PREMISES AND OFFICE

Persons Permitted on Premises: The premises of the Program are open only to participants in the Program, and such persons as are invited to the premises by the Program.

Participants in the Program are not allowed to be on the Program's premises or property at any time during which the Program is not in operation, or for any purpose other than participating in the training for which they are enrolled, absent the express permission of the Director of Education or a Program representative. For the protection of Program participants and employees, participants are not allowed to bring any person onto the premises or property of the Program without the express permission of the Director or a Program representative.

Expulsion from Premises: While on the property or premises of the Program, a participant will comply with all Rules and instructions from Program staff and employees. If instructed to leave the property or premises of the Program, a participant shall do so immediately and without disruption. A participant, who has been instructed to leave the property or premises of the Program, may not reenter until expressly permitted to do so by the Director or a Coordinator.

Program Office: The Program office shall be open at such times as established by the Director and staffed in accordance with the Program's requirements. Telephone messages for Craft Coordinators should be left with the appropriate Coordinator. All other communications should be dropped off at or mailed to the Program office.

ARTICLE III: COMMUNICATIONS TO RESIDENCE OR BY TELEPHONE

It is the **responsibility of every Program participant** to ensure that the Program knows how to reach you at your address and by telephone. You must make certain that the Program Office has on record a valid mailing address and telephone number(s) where you can be readily contacted. Program participants are responsible for notifying the

Program immediately of any change of address or telephone number. Failure to do so may result in undue delays in important communications and instructions. **You will be held responsible for complying with any and all directives and instructions from the Program. A change in your address or telephone number, or the inability of the Program to contact you, WILL NOT excuse your failure to comply.**

ARTICLE IV: PARTICIPANT REQUIREMENTS

Drivers License: All Program participants must possess and produce upon request a valid driver's license from the state in which they reside. If a license is revoked at any time during participation in the Program, the participant must notify his/her employer and the applicable Craft Coordinator immediately. A Program participant is absolutely prohibited to operate any employer or Program vehicle while the participant's license is revoked. A poor driving record may affect an apprentice's employment.

Arrest/Conviction: A Program participant must notify the Program Office if (s)he is arrested or convicted of any criminal offense of any character whatsoever. Periodic criminal record checks may be required and conducted by the Program. Participation in the Program may be terminated if, in the sole and exclusive judgment of the Craft Committee and Board of Trustees, a criminal arrest or conviction impairs the participant's ability to participate in the Program, or otherwise reflects upon the participant's fitness as a Program participant. Failure to disclose an arrest or conviction is grounds for immediate discharge.

ARTICLE V: TERM OF APPRENTICESHIP AND PARTICIPANT AGREEMENT

Length of Apprenticeship: The contents and length of the apprenticeship training within each trade shall be established and may at any time and without notice be changed, by the FTI. Any change in the content or term of a training program may affect participants in the program at the time of the change, in the sole and exclusive discretion of the FTI. The Program craft apprenticeships are as follows:

1) Drywall Finishing: The Drywall Finishing apprenticeship is a four-term/6,000-hour program. The apprentice must serve at the trade during each apprenticeship term; at given intervals, eligibility for wage increases will occur, in accordance with these Rules and applicable collective bargaining agreements. All apprentice wage increases will depend on; work and school hours, apprentice's compliance with Program rules and regulations, and his/her standing with the employer.

2) Glazing: The Glazing apprenticeship is a four-term/6,000-hour program. The apprentice must serve at the trade during each apprenticeship term; at given intervals, eligibility for wage increases will occur, in accordance with these Rules and applicable collective bargaining agreements. All apprentice wage

increases will depend on: (1) work and school hours, (2) anniversary/start dates, (3) apprentice's compliance with Program rules and regulations and (4) his/her standing with the employer.

3) Commercial Paint & Wall Covering: The Commercial Painting & Wall Covering apprenticeship is a four-term/6,000-hour program. The apprentice must serve at the trade during each apprenticeship term; at given intervals, eligibility for wage increases will occur, in accordance with these Rules and applicable collective bargaining agreements. All apprentice wage increases will depend on; work and school hours, apprentice's compliance with Program rules and regulations, and his/her standing with the employer.

4) Coatings Applicator Specialist (CAS): The CAS apprenticeship is a four-term/6,000-hour program. The apprentice must serve at the trade during each apprenticeship term; at given intervals, eligibility for wage increases will occur, in accordance with these Rules and applicable collective bargaining agreements. All apprentice wage increases will depend on; work and school hours, apprentice's compliance with Program rules and regulations, and his/her standing with the employer.

5) Multi-Craft Decorator: The Multi-Craft Decorator apprenticeship is a four-term/6,000-hour program. The apprentice must serve at the trade during each apprenticeship term; at given intervals, eligibility for wage increases will occur, in accordance with these Rules and applicable collective bargaining agreements. All apprentice wage increases will depend on; work and school hours, apprentice's compliance with Program rules and regulations, and his/her standing with the employer.

Tuition Advance and Restitution Agreement: All apprentices, and other Program participants are required, in order to be accepted to the Program, to sign the Program's Tuition Advance and Restitution Agreement. The apprentice/participant is obligated to report to the Program any departures from the tuition advance and restitution agreement as they concern working conditions, rules, wages paid, and improper or insufficient training. **Failure to report such changes shall result in the terms of the agreement immediately becoming due and payable.** The signed agreement makes you directly responsible and indentured to the Committee. Upon your signature, and by your entry into the Program, you have agreed to abide by and conform to the rules, policies and decisions of the FTI throughout the period of your participation.

ARTICLE VI: DRUG AND ALCOHOL POLICY

All participants in the Program shall comply with the substance abuse policy that is attached to these Rules. The policy is based on the rationale that the use of controlled substances and alcohol by employees on a trades or industrial work site is

unacceptable, since it can jeopardize the health and safety of the employee and his/her fellow workers, in addition to impairing performance and productivity. The policy will be strictly adhered to.

ARTICLE VII: HEALTH AND SAFETY

Statement of Policy: The personal health and safety of each apprentice within the FTI Training Program is of primary importance. The goal of preventing injury and preserving health is of such consequence that it will be given precedence over all other operations whenever necessary.

Each apprentice is required to conform to the requirements set forth in the Occupational Safety and Health Act of 1970 and the applicable standards and consensus standards hereunder, as well as all other applicable federal, state and local laws.

Each apprentice is required to attend and participate in all health and safety trainings established by the Program. Each apprentice is required to comply with all health and safety instructions, policies and procedures established by the Program. Only through a cooperative effort can effective and safe Program premises be maintained. In this effort, it is the responsibility of each apprentice to demonstrate and commit to a safety mindset and attitude in all respects.

Accidents: All accidents, regardless of how minor, are to be immediately reported to the instructor, or the Craft Coordinator/Instructor. Each apprentice is required to inform the instructor and/or the Craft Coordinator immediately of any unsafe circumstances. **Under no circumstances should the apprentice engage in any activity or work that jeopardizes his or her safety or health.**

Training Center Attire: Participants on the premises or property of the Program will be required to wear suitable clothing and footwear, which is deemed absolutely necessary for health and safety reasons. In addition to any other attire that a Program representative may deem to be inappropriate or unacceptable, the following attire is prohibited in any shop or work areas: shorts, skirts or dresses of any kind, gowns or robes of any kind, veils or scarfs of any kind (including neckties), hair ornamentation (except as necessary to safely secure hair), sleeveless shirts, shoes (other than safety shoes/boots), jewelry. All participants shall report each day with a neat and clean appearance. The Instructor will inform participants of any additional clothing requirements for each series of classes and or projects. Failure to be properly clothed will cause the apprentice to be dismissed from class; in that event, no training credit will be given for that class.

On the Job Attire: Program participants, in addition to the above restrictions, shall wear proper clothing (whites where required) as required, and shall maintain their

personal appearance and attire in such a manner so as not to create a health hazard to themselves, their fellow workers, or their employer. Program participants shall immediately report to the Training Coordinator any unsafe requirements or improper conditions that are established by an employer.

Protective Equipment: A critical part of the education and training that participants receive in the Program concerns safe work practices and personal protective equipment (“PPE”). Because work in the trade’s professions can be dangerous, participants in the Program are absolutely required to comply with all applicable safety instructions and regulations, including the use of all required PPE, on the Program’s premises.

The employer will supply the necessary training and safety equipment to each apprentice prior to the apprentice’s use or operation of any equipment and to their performance of any job operation. Safety and health on the job is the sole responsibility of the employer. Any problems or issues with respect to an employer complying with its obligation to maintain a safe and healthy work environment should be promptly reported to the Director. On-the-job safety practices and training will be supplemented in the related instruction classes.

ARTICLE VIII: ATTENDANCE

Attendance Required: No Excused Absences Policy: The education and training offered by the Program is fast paced and demanding. Successful participation requires dedication, hard work, concentration, and attendance at work and the related training classes. Therefore, Program participants are **required to attend every scheduled class.**

Schedules will be established by the Program, in its sole discretion. The Program will use its best efforts to inform Program participants of their class schedule before a class starts. However, prior to the opening day of school, it is the responsibility of the apprentice to determine their schedule and arrange for attendance at all training classes. If you have not received a notice prior to the first day of your class, it is your responsibility to contact the apprentice office to find out when your class meets. Failure to attend the opening class, even without a schedule, is not a valid excuse.

Please be advised and remember at all times **THERE ARE NO EXCUSED ABSENCES AND NO MAKE UP CLASSES** unless approved by the Coordinator. Any apprentice who has other interests which conflict with their training classes must revise their schedule to assure attendance at **every** training class. It is every participant’s responsibility to be present at **every** scheduled class. **THIS REQUIREMENT SUPERCEDES ANY EXCUSE FOR NON-ATTENDANCE.**

Consistent with the above requirement, no apprentice is permitted to miss class due to work or distance from class. No employer is permitted to schedule an apprentice in

any way that would interfere with the apprentice attending classes. This includes overtime, and out-of-town work. If you are scheduled to be in class, it is your responsibility to be there.

Consequences of Missed Classes: Class attendance is required by the Program. Failure to attend classes as required by a craft will result in disciplinary consequences, and could lead to expulsion from the Program, as stated below:

1) Drywall Finishers: An apprentice who misses two (2) classes will receive a written warning, which will state he/she is within one (1) missed class of repeating the school year. Three missed classes will result in a suspension from class, a freeze on raises and repeat of the class the following year. A second suspension for failure to attend will result in removal from the Program.

2) Glaziers and Glassworkers: An apprentice who misses two (2) classes will receive a written warning, which will state he/she is within one (1) missed class of repeating the school year. Three missed classes will result in a suspension from class, a freeze on raises and repeat of the class the following year. A second suspension for failure to attend will result in removal from the Program.

3) Commercial Painters and Wall Coverers: An apprentice who misses two (2) classes will receive a written warning, which will state he/she is within one (1) missed class of repeating the school year. Three missed classes will result in a suspension from class, a freeze on raises and repeat of the class the following year. A second suspension for failure to attend will result in removal from the Program.

4) Coatings Applicator Specialist: An apprentice who misses two (2) classes will receive a written warning, which will state he/she is within one (1) missed class of repeating the school year. Three missed classes will result in a suspension from class, a freeze on raises and repeat of the class the following year. A second suspension for failure to attend will result in removal from the Program.

5) Multi-Craft Decorator: An apprentice who misses two (2) classes will receive a written warning, which will state he/she is within one (1) missed class of repeating the school year. Three missed classes will result in a suspension from class, a freeze on raises and repeat of the class the following year. A second suspension for failure to attend will result in removal from the Program.

Explanation for Absence Requirement: An absent apprentice is **required** to submit a written explanation for **each** absence (on the form designated by the Program) to the appropriate craft coordinating committee for review and appropriate action. The written explanation must be delivered to the Instructor or the Craft Coordinator prior to the start of the next training class attended immediately after the absence.

Lateness/Early Dismissal: Lateness and early dismissals will be treated as an absence, in the discretion of the Instructor. Apprentice Stipends (if applicable) are paid on hours attending classes “only”.

ARTICLE IX: PROGRAM ADVANCEMENT REQUIREMENTS

Annual Instruction Requirement: All crafts will have a **minimum** of one hundred and sixty (160) hours of related instruction. Note: All other Program requirements in addition to hours of instruction must be satisfied in order to advance. This includes the requirement of total training hours (including required instructional work) for each craft, as necessary to complete the Program (*Glaziers; require anniversary of start date*)

Failure to Meet Annual Instruction Requirement: Every apprentice must complete the program classroom instruction requirement in order to be eligible for advancement and/or completion. An apprentice who fails to attend the total required hours will be immediately suspended from class and work. An apprentice who is suspended may be subject to dismissal from the Program, upon recommendation of the appropriate craft committee. Each suspended apprentice is offered an opportunity to appear before the craft committee to explain why his/her apprenticeship should not be terminated.

Hours of Work Requirement: In addition to classroom instruction, a critical component of the Program is “hands on” instruction received through on-the-job training (OJT), under the supervision of experienced trades-people. Note: All other Program requirements in addition to hours worked must be satisfied to advance. This includes the requirement of total training hours (instructional work) for each craft necessary to complete the Program. At present, a total of 6,000 hours of class instruction and work are required to complete all programs. Each term of the apprenticeship consists of 1,500 OJL and RTI hours.

Failure to Meet the Work Hours Requirement: An apprentice who fails to work the required hours will have the opportunity to advance when the apprentice has worked the required minimum number of hours. An apprentice who fails to make the minimum hours at work and/or class without good reason or cause will be reviewed by the appropriate craft coordinating committee to determine whether additional penalties or conditions on the continued participation of the apprentice in the program are appropriate.

Work Hours Record: It is the obligation of each apprentice to maintain their “Work Hours Record” and submit it to the applicable Craft Coordinator either weekly, monthly or bi-monthly, whichever applies by trade, during the school term. The record is subject to inspection and review at any time while working or attending class. The Coordinator may request the Apprentice to have their foreman or supervisor verify their work hour’s record. Wage increases, evaluations and other matters that require

verification of work hours will be withheld if the apprentice has not kept a current work record.

ARTICLE X: PERFORMANCE AND EVALUATIONS

A. Class Performance Requirement. All apprentices must receive a passing grade on semester evaluations and/or tests. An apprentice who does not receive a passing grade for a semester will be required to repeat the complete school year. **NO MAKE-UP TESTS WILL BE ADMINISTERED** unless approved by Coordinator. The wage and time served level for the failing apprentice will remain stationary until the term requirement is met. **AN APPRENTICE FAILING THE TERM, AND/OR REQUIRED TESTS WILL BE DISMISSED FROM THE PROGRAM.**

B. Evaluation of Apprentices. All apprentices involved in the Program must receive a satisfactory annual evaluation from the applicable Coordinator, before obtaining the next pay and instruction (apprentice term) level. Areas of evaluation may include: attitude; dependability; punctuality; judgment; relationships with others; quality of work; driving habits; assessment of skills; and similar factors. The evaluation of apprentices, including the content and form of evaluations, is the sole and exclusive responsibility of the FTI, through the Education Director. To the extent feasible, evaluations will be based on “the THREE A’s”:

ATTITUDE: An evaluation of the apprentice’s attitude in regard to his/her job and the training program.

ATTENDANCE: Compliance with the attendance policy of the Program as set forth in these Rules, and as required by your Employer. Included in the attendance evaluation will be the job attendance. The job attendance will be based on the “Work Hours Record,” which is the obligation of apprentices to maintain and provide to the craft coordinator.

ABILITY: A judgment regarding the apprentice’s ability performance on input from your employer, the school staff and the Journey person with whom you work.

C. Performance on the Job

1. You are expected to work diligently and cooperatively with your employer and your fellow workers and make regular progress towards journeyman status. A record of adverse reports from your employer will be cause for disciplinary action.
2. Advancement toward journeyman status depends upon meeting the requirements and standards as to hours of on-the-job training, in conjunction with good attendance and progress in related training classes.

3. Apprentices working for employers who are unable or unwilling to give complete training may be rotated to another employer by action of the appropriate craft coordinator; in conjunction with Council Business Reps.
4. Apprentices must notify the employer and applicable craft coordinator, prior to the start of each working day, when they are absent or tardy for work.

D. Effect of an Unsatisfactory Program Evaluation. If you are lacking in any evaluation area, you will receive an “Unsatisfactory Evaluation Report.” Your employer will be notified to maintain you at your current wage and time served level for a period deemed necessary. At the end of that period you will be re-evaluated. If you have not improved to fully satisfactory, your performance will be reviewed by the appropriate craft committee and dismissal from the program is in order. You have the right to inspect evaluation documents, and appeal an unsatisfactory evaluation; however, the consequence of dismissal from the Program after two successive unsatisfactory evaluations will not be altered.

ARTICLE XI: CLASSROOM CONDUCT/MATERIALS

A. Compliance with Rules

Apprentices must act in accordance with these regulations and the code of conduct herein at all times, while at work and in the Program. All apprentices are required to conduct themselves in a respectful and appropriate manner at all times, in the classroom, on the job, toward FTI employees, toward Council signatory employers, and toward fellow apprentices.

B. Drugs and Alcohol Prohibited

Apprentices are not permitted to attend any training classes, or be on the FTI premises, while under the influence of drugs or alcohol. Entering the FTI premises or classes under the influence or in any manner which raises a question about whether an apprentice is under the influence, will cause the apprentice to be removed from class and suspended from work until a drug or alcohol test can be administered. If an alcohol test cannot be arranged within the body’s retention of the alcohol (8 hrs.) or drugs (36 hrs.), the judgment of the Program representative will be the sole factor in suspension. A positive test will mean a required appearance before the appropriate craft coordinating committee for disciplinary action, which may include removal from the program.

C. Removal from Class.

Apprentices must at all times display appropriate behavior in the Program, which is conducive to an educational environment. Failure to observe this rule, or engaging in any unacceptable behavior, will result in removal from the classroom. Any apprentice who is removed from the classroom for misconduct shall be subject to review to the appropriate craft coordinating committee. See Article XII (B).

D. Educational Materials.

Apprentices will receive educational materials each year. It is the responsibility of the apprentice to take proper care of training materials and to see that it does not fall into the hands of anyone who is not an apprentice in the Program. The materials must be brought to each class regardless of the class content. Failure to have said materials at class may result in removal from class by the instructor (See Attendance). Lost training materials must be immediately replaced at the apprentice's expense. Apprentices will be instructed each year regarding materials, and/or equipment that must be supplied by the apprentice to participate in the Program. These materials, supplies, and equipment must be obtained immediately and be available at all times as required.

ARTICLE XII: APPRENTICE CONDUCT /DISCIPLINE OF APPRENTICES

A. Probation. The PAC, upon recommendation of the appropriate craft coordinating committee, can terminate any individual's participation in the Program at any time with or without stated reason, on any basis whatsoever that is consistent with the objectives and purposes of the Program. Officially, the FTI probation period is 90 days; however, for all intents and purposes, you are "on probation" for the entire duration of your participation in the Program.

B. Unacceptable Behavior. Apprentices shall engage in appropriate and acceptable behavior at all times, both on the Program premises and on the job. Unacceptable behavior includes, but is not limited to: sleeping in class, failure to complete an assignment, insubordination, lateness, improper dress, inattentiveness, disruptiveness, offensive comments, lewdness, indecency, harassing behavior, disrespectful conduct, fighting, provocative conduct, inciting others to misconduct, dishonesty, cheating, or any other problem which may interfere with conducting the class. An expelled apprentice will be considered absent from class, in addition to being subject to discipline as set forth above. (See Attendance)

C. Unacceptable Performance at Work. You are expected to work diligently and cooperatively with your employer and your fellow workers and make regular progress towards journey person status. A record of adverse reports from your employer will be cause for examination and possible action by the FTI. Should you fail to show the necessary competencies, skills and/or responsibilities, the FTI will remove you from the Program.

D. Dismissal from Work. An apprentice dismissed from work for any reason except a lack of work, will be subject to review by the craft coordinator. The apprentice may be reassigned to another employer or, if the craft coordinator determines that reassignment is not appropriate under the circumstances, referred for review of disciplinary action to the appropriate craft coordinating committee.

E. Discipline of Apprentices. It is within the sole and exclusive authority and power of the FTI, acting through the Education Director, craft coordinators or any administrative body, to discipline and/or dismiss an apprentice from the program at any time during the apprenticeship if the FTI determines, in its sole and exclusive authority, that the apprentice has committed any violation(s) of these Rules, or otherwise engaged in conduct that is detrimental to the FTI or inconsistent with the responsibilities of an apprentice. A suspension may be imposed consistent with the rules, subject to review as provided herein.

F. Removal from Class. An apprentice may also be may be removed from class by an instructor as necessary and may be disciplined up to and including discharge from the Program for any misconduct, including but not limited to:

- Failure to comply with these Rules;
- Violation of school or job-site safety rules;
- Failure to comply with the rules of conduct for an apprentice, including but not limited for engaging in disruptive or disorderly conduct;
- Lack of productivity, including dismissal by an employer;
- Failure to buy the required tools or failure to maintain the employer's tools and equipment;
- Failure to keep up with class assignments;
- Failure to comply with attire requirements.

G. Summary Offenses. Certain offenses committed in the Program or at work, including but not limited to blatant insubordination, gross negligence, the sale or use of drugs or alcohol, theft (from the Program or an employer), acts of violence or harassment, are so serious by their very nature that they will result in immediate suspension, followed by review and discharge from the Program. An apprentice charged with such an infraction will be immediately removed from work and class and appear before the appropriate craft coordinating committee for review of the conduct.

ARTICLE XIII: NON-DISCRIMINATION POLICY

A. Policy of Nondiscrimination. The FTI is fully committed to equal opportunity, and it prohibits discrimination on the basis of race, gender, religion, ethnic origin, handicap, sexual preference, age, disability, or any other form of prohibited discrimination.

B. Harassment Prohibited. Discrimination against or the harassment of any Program participant, staff member, instructor, or employee on the basis of any form of prohibited discrimination is strictly forbidden. In the event that any Program participant engages in such prohibited conduct, discipline up to and including dismissal from the Program will be appropriate. All persons associated or in any manner affiliated with the FTI are to conduct themselves toward others in a completely respectful and appropriate manner. "Prohibited harassment" may include any form of

physical, verbal, or nonverbal behavior that is intended to make and/or does make other persons feel that they have been singled out or targeted on the basis of any discriminatory factor.

C. Prohibited Conduct. The following list sets forth examples of conduct. This list is not all-inclusive:

- physical assaults or intentional contact;
- unwelcome sexual advances, propositions or sexual comments;
- verbal comments or displaying images that are racially or sexually provocative, demeaning or offensive;
- slurs, disparaging remarks or similar conduct about any Program participant;
- subjecting or threatening to subject any Program participant to unwelcome conduct or attention on the basis of a prohibited discrimination.

D. Discrimination/Harassment Complaints. Any participant or person associated with the FTI in any capacity shall notify the Education Director in writing of any discriminatory or harassing conduct within thirty (30) days after the matter occurs. All complaints of harassment shall be fully investigated by the Director of Education and reported to the Program Advisory Committee for further review. The person filing the complaint shall be given an opportunity to meet with the PAC. The PAC shall review and take such actions as it deems necessary regarding complaints of discrimination or harassment. To the extent possible, confidentiality shall be maintained, within the confines of an investigation into the alleged behavior. All parties will be treated with dignity and respect.

ARTICLE X IV: GRIEVANCE PROCEDURE

A. Informal Resolution of Disputes. Apprentices are encouraged to informally discuss issues or problems that may arise, whether in the FTI or on the job, with the Education Director, their Craft coordinator, or instructors, in an effort to obtain assistance or resolution. The purposes and objectives of the FTI can be most effectively achieved through the process of cooperative problem solving.

B. Grievance Procedure. All apprentices have the right to present grievances regarding terms and conditions of their apprentice training, discipline, wages determinations, attendance determinations, assessments or evaluations, and any other matter or concern related to their enrollment and participation in the FTI, using the following procedure:

Step 1: The apprentice shall present a written grievance stating the specific facts and issues that are the subject of the grievance to the appropriate craft coordinating committee, by presenting the written grievance to the craft coordinator. The CCC shall notify the apprentice of a date and time to appear before the craft committee for a hearing regarding the grievance. The apprentice

must present any documents or witnesses that are relevant to the grievance at the craft committee hearing. The craft committee will issue a written decision regarding the grievance within 15 days after the hearing.

Step 2: If the apprentice is dissatisfied with the decision of the craft committee regarding the grievance, the apprentice can, within 10 days after receiving the CCC decision, appeal the CCC decision in writing to the Program Administrative Committee (PAC), by presenting the written appeal to the Education Director. The appeal shall fully state the bases for the appeal. The PAC shall notify the apprentice of a date and time to appear before the Committee for a hearing regarding the grievance. The apprentice must present any documents or witnesses that are relevant to the appeal at the PAC hearing. The PAC will issue a written decision regarding the appeal within 15 days after the hearing. The PAC decision shall be the final decision of the FTI as to all matters except termination of an apprentice from the Program.

Step 3: If the apprentice is dissatisfied with the decision of the Program Administrative Committee regarding a grievance appeal on termination of the apprentice from the Program, the apprentice can, within 10 days after receiving the PAC decision, appeal the PAC decision in writing to the JATC, by presenting the written appeal to the Education Director. The appeal shall fully state the basis for the appeal. The apprentice may be asked to appear before the JATC if the JATC, in its sole and exclusive discretion, determines that a further hearing would assist in resolving the appeal. The decision of the JATC is the final decision of the FTI in all matters, and it is binding on all participants.

ARTICLE XV: NOTICE TO APPEAR BEFORE AN ADMINISTRATIVE COMMITTEE

An apprentice who receives the written notification to appear before a craft committee, the Program Administrative Committee or the Joint Apprentice Training Committee on a specific date must appear on that date. Failure to appear after written notification will result in immediate suspension from work and the Program.

ARTICLE XVI: APPRENTICE WAGES

Each apprentice is assured of a minimum starting wage that is prescribed in the current collective bargaining agreement (CBA) between IUPAT DC21 and the apprentice's employer. As set forth in these Rules, apprentices are eligible for a wage increase as periodically established under the applicable collective bargaining agreements and provided that all the requirements for wage advancement set forth in these Rules have been met.

ARTICLE XVII: TOOLS

A. Tools requirement. The trade in which you have elected to serve your apprenticeship may require that you acquire during the course of your apprenticeship. The following is a list of the tools that apprentices must obtain and the period of your apprenticeship during which you are expected to have them. Toolbox checks will be performed by the Instructor or Coordinator as you progress through your apprenticeship. Failure to have the required tools may affect your status in the Program. Program Coordinators will distribute a list of required tools upon request.

ARTICLE XVI: CERTIFICATION OF APPRENTICESHIP COMPLETION

Advancement to journeyman status will be granted only by the FTI, and only upon completion of all Program requirements. All work and class records will be turned over to the FTI at the completion of the required training classes for their determination. If all requirements are met, the FTI will certify the apprentice as a Journey person.

IUPAT FTI JOINT APPRENTICE AND TRAINING PROGRAM DRUG AND ALCOHOL POLICY

I. Statement of Purpose

The Joint Apprentice and Training Program of The Finishing Trades Institute (“the Program”) have adopted a Drug and Alcohol-free Workplace Policy. It is recognized that the use of alcohol and controlled substances is a major contributing factor to unsafe working conditions for our members; the “impaired worker” is a hazard to himself and those who are working with him. Second, the abuse of mood altering substances plays a significant role in causing serious health problems among our members; this has the dual negative effect of destroying the health of our members while increasing our health care costs. Third, and finally, by eliminating substance abuse among our members, we will vastly increase our productivity and thereby increase our ability to compete successfully in the job market. The purpose of this policy is, therefore, to foster a safe, healthy, productive and competitive work environment. To reach these goals, the Drug and Alcohol-free Workplace Policy contains specific measures to ensure the abuse of drugs and alcohol does not jeopardize the successful operation of our businesses, workers, contractors or the general public.

We strongly encourage individuals associated with the Program to voluntarily seek help when they have a drug or alcohol related problem. Identification of possible problems in the early stages and referral to appropriate care minimize the business, personal, family and social disruption associated with such problems. However, for those who refuse to seek help, who refuse assistance when offered, or who do not cooperate with the Drug and Alcohol-free Workplace Policy, appropriate measures will be taken to

reach Drug and Alcohol-free workplace goals. Individuals' personal privacy and dignity will be respected while reaching our goal of a safe productive work environment.

II. Coverage

The policy covers all Program apprentices.

III. Education and Training

To assist individuals in understand the problems associated with drug and alcohol use, and in an ongoing effort to prevent and eliminate prohibited drug and alcohol use in the workplace, educational, informational and referral resources regarding substance abuse and the Drug and Alcohol-free Workplace Policy are available through The Finishing Trades Institute and Allied Trades Assistance Program.

IV. Support for Individuals who voluntarily Seek Help

We support early diagnosis and sound treatment efforts for drug and alcohol related problems and encourage individuals to seek help voluntarily and confidentially. Treatment will occur on a one-time basis without disciplinary or Program ramifications, provided that the individual has not participated in criminal activity, and provided that the Apprentice completes all recommended treatment, fully complies with any prescribed treatment program and has a negative test result upon return to the Program. Reinstatement will be upon such conditions or set by the Program. Members may access the services of the Employee Assistance Program (EAP) at 800-258-6376, which provides assessment counseling and referral service for individuals with drug and alcohol related problems and other personal problems. The EAP provides experienced counselors to help with personal problems, including those related to drugs and/or alcohol.

V. Intervention for Those who do not voluntarily Seek Help

In cases where an individual does not voluntarily seek help for a drug and/or alcohol problem, and where job performance is affected, we reserve the right to intervene. Whenever the Program instructor/coordinator believes an individual's behavior and/or actions(s) may be related to the use of controlled substance or alcohol, they will take appropriate action, which may include a drug and/or alcohol test.

Whenever an individual has reasonable suspicion that the questionable behavior and/or action(s) of a fellow worker, supervisor, foreman or manager may be related to the use of drugs or alcohol, the individual may contact their Program instructor/coordinator.

VI. Prohibited Conduct

To ensure a safe, healthful and productive work environment for all individuals, the following conduct is prohibited during work hours and on work sites:

- A. Being under the influence of a prohibited substance, controlled substance or alcohol.
 - 1. Evidence of the prohibited substance, alcohol, is defined as a blood alcohol content (BAC) of .04 or higher.
 - 2. Evidence of a prohibited substance or illegally used drug is defined as a confirmed positive drug test result.
 - 3. Any apprentice that reports under the influence of a prohibited substance may have their employment terminated.
 - 4. Any apprentice that tests positive for a prohibited substance on a first offense will be referred to the members Assistance Program for an evaluation. Only after the completion of all recommended treatment, full compliance with any prescribed or ongoing program, and a negative drug and alcohol screen on a fitness-for-duty examination, will this person be considered for reinstatement. *Except where the apprentice has voluntarily requested assistance*, whether the apprentice is reinstated, and if so on what terms, is in the sole discretion of the Program.
- B. Failure to report to the Program Coordinator and Employer that you are using any medications (whether prescription or over the counter) that causes dizziness, drowsiness, or any other impairment of any kind.
- C. Illegal possession, use, manufacture, distribution, dispensation or sale of controlled substance whether or not during working hours.
- D. Use, possession, growing, manufacture, distribution, dispensation, sale or storage (including a desk, locker, automobile or other repository) of a controlled substance.
- E. Consumption, possession, manufacture, distribution, dispensation, sale or storage (including desk, locker, automobile or other repository) of alcohol.

- F. Switching, adulterating or committing any other misconduct pertaining to any breath, blood or urine sample will be considered a violation of this policy. The apprentice will be referred to the Allied Trades Assistance Program for an evaluation and/or treatment.
- G. Refusing to consent to testing or refusing to submit a breath, blood or urine sample for testing, the following conduct will be treated as a positive test result. Refusal to test includes:
1. failure to provide an adequate sample for testing without a valid medical explanation; or
 2. engaging in conduct that clearly obstructs the testing process including, but not limited to:
 - failure to sign the chain of custody form; or not reporting to the collection site in the time allocated; or
 - failure to cooperate with transportation assistance to and from the collection site; or
 - failing to remain readily available for a post-accident test.
- H. Refusing to submit to an inspection when required under this Policy.
- I. For those individuals referred for assessment or treatment under this Policy, failing to adhere to any of the requirements of the Rehabilitation Agreement;
- J. Conviction under any criminal drug or alcohol statute for a violation occurring at work sites, during work hours or while conducting company business;
- K. Failure to notify the J.A.C. instructor/coordinator or the Union's Representative of any conviction under any criminal drug or alcohol statute within five days of the conviction for a violation occurring at the work site, during hours or while conducting business;
- L. For individuals who are on-call and are contacted to report for duty, failure to notify the J.A.C. instructor/coordinator, when the individual believes that he/she may be under the influence of drugs and/or alcohol;

- M. Refusing, when required under the Drug and Alcohol Policy Statement, to sign the Drug and Alcohol Testing Consent Form. (See Attached)

VII. Testing

Testing for drugs and/or alcohol under certain circumstances is part of the Program's Drug and Alcohol-free Workplace Policy. The methods used to determine the presence of alcohol or drugs in the system under this Policy include a urine and/or breath test. An individual may be required to undergo a test for drugs and/or alcohol in the following circumstances:

- A. **Apprenticeship Program Testing**: Individuals entering an apprenticeship program shall be required to submit to a drug screen. "Failure to consent to such a screen or a verified positive drug test result will disqualify an applicant for the program for a period of one year. During that time, the applicant's application will be archived. The applicant may apply to reinstate his or her application one year after his or her refusal or verified positive drug test result. Upon submitting a request for reinstatement of an application, the FTI may require verification of information in the original application, including but not limited to updated addresses, updated driver's license information, and updated reference letters."

- B. **First Time, Pre-Hire Drug Testing:** Applicants for a position into the apprenticeship program shall be advised that, once offered a position, they will be required to submit to a drug screen. Failure to consent to such a screen or a verified positive drug test result will disqualify the applicant for employment.
- C. **Drug and/or Alcohol Testing for Cause:** An individual may be tested for drugs and/or alcohol when an FTI staff member has any cause to believe that the individual is under the influence of drugs or alcohol. "Cause" will consist of an objective, factual, individualized basis for testing, such as when a student's behavior or physical appearance suggests drug or alcohol use or possession of drugs or alcohol, or there are other indications of a violation of the FTI's substance-abuse prevention policy.
- D. **Post Accident Drug and/or Alcohol Testing:** Individuals who may have caused or contributed to an accident may be subject to a drug and/or alcohol test as soon as possible following the accident.

An individual who does not make himself/herself readily available for testing will be deemed to have refused to test. **See Section VI(G).** If the individual must leave the scene of an accident, the individual must make every effort to be tested or to contact his/her instructor/coordinator and to inform that individual of his/her whereabouts.

- E. **Random Drug Testing:** Apprentices are subject to unannounced drug testing on a random basis. Apprentices will fully participate in the required program.
- F. **Return to Duty Drug and/or Alcohol Testing:** An individual who has had a positive drug or alcohol test result must be referred back to the Allied Trades Assistance Program for follow-up treatment as determined by the assessment. In addition to the assessment, the individual must pass a return to duty test before being released to the work site.
- G. **Follow Up Drug and/or Alcohol Testing:** All individuals who are reinstated to the Program after referral for assessment or treatment will be subject to follow-up testing. All referred individuals will be subject to unannounced testing for the illegal use of drugs and/or alcohol. Alcohol testing will be required for individuals who have

demonstrated evidence of consuming alcohol during working hours. Follow-up testing applies for the duration of an apprentice's participation in the Program.

Inspections

The Program reserves the right, randomly or for cause to inspect any individual or his/her possessions for possession of alcohol, drugs or drug paraphernalia during work, at the work site or on any Program or Finishing Trades Institute property. The inspection includes individual offices, desks and lockers, personal effects (such as lunch boxes, handbags, briefcases, and/or outer clothing), or personal vehicles at the work site and/or any Finishing Trades Institute property. Such an inspection may be authorized by the Education Director, or any Coordinator or Instructor.

IX. Consequences for Violation of the Drug and Alcohol Policy

Any violation of this policy, including but not limited to Section VI, is a terminal offense. Even a first offense will serve for the basis for discharge from the Program. All offenses, including but not limited to possession, sale or use of a controlled substance at the workplace or Program will subject a participant to immediate dismissal from the Program.

The only instance not subject to immediate dismissal is when an apprentice seeks substance abuse counseling or treatment.

X. Confidentiality

All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, shall be kept confidential to extent administratively possible. The information concerning drug test results shall be kept confidential and will not be released to third parties by the Program without a written consent. Any such information can be released on a need to know basis, if required by law, if relevant to a legal claim asserted by the individual, or as otherwise provided by law.