

# Chapter 660

## 1983 REPLACEMENT PART

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**660.002 Declaration of policy.** It is the policy of the State of Oregon:

(1) To encourage the development of an apprenticeship and training system through the voluntary cooperation of management, labor and interested state agencies, and in cooperation with other states and the Federal Government.

(2) To provide for the establishment and furtherance of standards of apprenticeship and training to safeguard the welfare of apprentices and trainees and assure proper training of an adequate, skilled labor force.

(3) To encourage the preparation of persons with skills that will enable them to find gainful employment in an ever-changing society and insure the continued growth and development of the economy of Oregon by contributing to the maintenance of an adequate supply of skilled workers. [1957 c.270 §2; 1967 c.6 §2]

**660.006 Application.** (1) This chapter shall apply to persons, political subdivisions, employer associations, and organizations of employes that agree to conform to its provisions.

(2) Nothing in this chapter is intended to supersede the civil service or merit systems applicable to state agencies and political subdivisions. Employes of state agencies and political subdivisions may be recognized and registered as apprentices, and may serve on apprenticeship committees when approved by the State Apprenticeship and Training Council in conformity with this chapter. Where an individual apprentice who is employed by a state agency or political subdivision wishes to participate in an apprenticeship and training program, the council may approve program standards which set forth a progressive wage within the salary structure range for journeymen employed by such state agency or political subdivision. [1957 c.270 §10(1); 1963 c.151 §3; 1967 c.6 §3, 1977 c.490 §1; 1981 c.764 §1]

**660.010 Definitions.** As used in this chapter, unless the context requires otherwise:

(1) "Apprentice" means a worker at least 16 years of age, except where a higher minimum age is otherwise required by law, who is employed to learn an apprenticeable occupation under standards of apprenticeship approved by the State Apprenticeship and Training Council.

(2) "Apprenticeship agreement" means a written agreement between an apprentice and either the employer or the local joint committee which shall contain the minimum terms and conditions of the employment and training of the apprentice.

(3) "Apprenticeable occupation" means a skilled trade which:

(a) Is customarily learned in a practical way through a structured, systematic program of on-the-job supervised training;

(b) Is clearly identified and commonly recognized throughout an industry;

(c) Involves manual, mechanical or technical skills and knowledge which require a minimum of 2,000 hours of on-the-job supervised training; and

(d) Requires related instruction to supplement the on-the-job training.

(4) "Commissioner" means the Commissioner of the Bureau of Labor and Industries.

(5) "Council" means the State Apprenticeship and Training Council.

(6) "Course of study" means a course of study for the instruction of apprentices or trainees established in accordance with ORS 660.157.

(7) "Director" means the State Director of Apprenticeship and Training.

(8) "District school board" includes the boards of community college service districts, education service districts, common school districts and community college districts.

(9) "Employer" means any person employing the services of an apprentice, regardless of whether such person is a party to an apprenticeship agreement with that apprentice.

(10) "Local joint committee" includes local joint apprenticeship committees, local joint training committees and trade committees.

(11) "Program" means the total system of apprenticeship as operated by a particular local joint committee, including the committee's registered standards and all other terms and conditions for the qualification, recruitment, selection, employment and training of apprentices in that apprenticeable occupation.

(12) "Trainee" means a worker at least 16 years of age, except where a higher minimum age is otherwise required by law, who is to receive, in part consideration for services, complete instruction in an occupation which meets all the requirements of an apprenticeable occupation, except that such occupation requires in the opinion of the council, less than 2,000 but not less than 1,000 hours of on-the-job supervised training. [Amended by 1957 c.270 §3; 1963 c.151 §4; 1967 c.6 §1; 1971 c.271 §1; 1977 c.490 §2; 1981 c.764 §2]

**660.015** [1963 c.645 §2; 1967 c.6 §6; repealed by 1981 c.764 §20]

**660.020 Necessity for written agreement; transfer of agreement to another employer.** (1) Every apprentice and the apprentice's employer or the agent of the apprentice's employer, local joint committee shall sign a written apprenticeship agreement on a form approved by the council or on a form to which the council chairperson may grant interim approval. The agreement shall be signed and registered with the council as soon as practicable, but within a period of time not to exceed 90 days.

(2) When the original employer has been unable or unwilling to fulfill its obligations under the apprenticeship agreement, the local joint committee may approve the transfer of the employer's obligation to a subsequent approved employer or employers under the same program, with the consent of the apprentice. In such cases, it will not be necessary to sign and register a new apprenticeship agreement, notwithstanding the requirements of subsection (1) of this section. [Amended by 1955 c.719 §1; 1957 c.270 §4; 1967 c.6 §7; 1981 c.764 §3]

**660.030** [Amended by 1955 c.719 §2; 1957 c.270 §5; 1967 c.6 §8, repealed by 1981 c.764 §20]

**660.040** [Repealed by 1955 c.719 §12]

**660.050** [Repealed by 1955 c.719 §12]

**660.060 Contents of agreement.** In order to be registered, every apprenticeship or training agreement made after November 1, 1981, shall contain:

(1) The names and signatures of the parties and of a parent or a guardian if the apprentice or trainee is a minor;

(2) The names and addresses of the appropriate local joint committee and of the council;

(3) The date of birth of the apprentice or trainee;

(4) The beginning date and duration of the apprenticeship or training and the apprenticeable or trainable occupation in which the apprentice or trainee is to be trained;

(5) A statement that the parties thereto shall abide by the applicable standards existing as of the date of the agreement, and as amended during the duration of the agreement, and a provision incorporating the standards, explicitly or by reference as part of the agreement;

(6) A statement that there is a probationary period during which the apprenticeship agreement may be terminated by either party to the agreement upon written notice to the Apprenticeship Division of the Bureau of Labor and Industries;

(7) A statement that after the probationary period the apprenticeship agreement may be canceled at the request of the apprentice or may be suspended, canceled or terminated by the committee for good cause, with due notice to the apprentice and a reasonable opportunity for correction and with written notice to the apprentice and to the Apprenticeship Division of the Bureau of Labor and Industries of the final action taken by the committee;

(8) Such additional provisions as the council may deem necessary or advisable to effectuate the policies and duties prescribed and imposed by this chapter, provided such provisions are customarily subject to agreement between employers and apprentices or trainees; and

(9) A waiver by the apprentice granting permission for release of related training school records to the appropriate joint apprenticeship committee for the purpose of evaluation.

[Amended by 1955 c.719 §3; 1957 c.270 §6; 1967 c.6 §9; 1981 c.764 §4]

**660.110 State Apprenticeship and Training Council; members; confirmation; compensation and expenses.** (1) The State Apprenticeship and Training Council shall consist of 11 members, including the Commissioner of the Bureau of Labor and Industries, and 10 members appointed by the Governor, as follows:

(a) Two members representing employes from the apprenticeable crafts or trades for which programs are approved and registered with the council;

(b) Two members representing employes from the industrial occupations for which programs are approved and registered with the council;

(c) Two members representing industrial employers whose programs are approved and registered with the council;

(d) Two members representing employers from the apprenticeable crafts or trades whose programs are approved and registered with the council; and

(e) Two members representing the public.

(2) Each member shall be appointed for a term of four years and shall hold office until a successor has been appointed and has qualified. A member shall not automatically be removed from the council in midterm should the member's industry withdraw from the program for economic reasons.

(3) Any vacancy occurring among the appointed members shall be filled by appointment,

as provided in this section, for the unexpired portion of the term.

(4) All appointments of members of the council by the Governor are subject to confirmation by the Senate pursuant to section 4, Article III, Oregon Constitution.

(5) The Commissioner of the Bureau of Labor and Industries shall serve as the chairperson of the council with the power to cast the deciding vote in case of a tie. The council shall choose from among its members a vice-chairperson to preside at meetings and perform other functions of the chairperson when the commissioner is absent.

(6) Each member of the council is entitled to compensation and expenses as provided in ORS 292.495. [Amended by 1955 c.719 §6; 1967 c.6 §10; 1969 c.314 §71; 1973 c.792 §31; 1981 c.764 §5; 1983 c.318 §1]

**Note:** Section 2, chapter 318, Oregon Laws 1983, provides:

**Sec. 2.** The amendments to ORS 660.110 by section 1 of this Act do not affect the term of any member appointed prior to and holding office on the effective date of this Act [October 15, 1983]. However, as vacancies occur, appointments shall be made in compliance with ORS 660.110 as amended by section 1 of this Act.

**660.112** [1977 c.490 §7; repealed by 1981 c.764 §20]

**660.115** [1963 c.645 §3; 1967 c.6 §12; repealed by 1981 c.764 §20]

**660.120 Duties and powers of council.**

(1) The council shall enforce the provisions of this chapter in order to carry out its intent and purposes. With the assistance of the director and the director's staff, the council may conduct investigations, issue subpoenas, obtain evidence, administer oaths and take testimony in all matters relating to its duties and functions as set forth in this chapter. The council may bring suit in a court of proper jurisdiction in its own name, or in the name of an apprentice on behalf of the apprentice, through the district attorney or the Attorney General. The council may make such rules as are reasonably necessary to enforce and administer this chapter. However, all rules which the council makes under this chapter shall be adopted in compliance with ORS 183.310 to 183.550. In addition, where the council finds that it would be impractical for a number or all of the local joint committees in the state to develop criteria concerning a particular matter, the council may make rules on such matter. The council's rules shall govern on that matter except to the extent that a local joint committee's approved standards contain exceptions.

(2) The council also shall:

(a) Establish policy of the program so as to encourage the promotion, expansion and improvement of programs of apprenticeship and training;

(b) Approve and register such program standards and modifications thereto, as are submitted by appropriate local joint committees as provided in ORS 660.126, which are in substantial conformity with the state-wide standards approved under ORS 660.155;

(c) Establish committees and approve nominations of members and alternates to local joint committees and state joint committees to insure balanced representation of employer and employe groups;

(d) Deregister standards and terminate entire programs, and remove any or all members of any committee, for inactivity or inadequate activity, or for failure to abide by the provisions of this chapter or by the rules and policies of the council;

(e) Cooperate with interested state and federal agencies, including the Department of Education and other providers of related training and curriculum such as community college districts, community college service districts, education service districts and recognized industry programs;

(f) Perform such other functions and duties as are necessary or appropriate to carry out the purposes of this chapter; and

(g) Hold at least four regular public meetings each year. Executive sessions shall be held on call of the chairperson, or at the written request of a majority of the members of the council.

[Amended by 1955 c.719 §7, 1957 c.270 §7; 1967 c.6 §13; 1971 c.271 §2; 1975 c.605 §32; 1981 c.764 §6]

**660.122 List of apprentices and trainees completing or terminating programs.**

The council shall prepare a list on the first day of each month, which shall be immediately posted in all council offices and which shall be made available to all Employment Division offices, containing the following information:

(1) The names of all apprentices and trainees who will complete their program during the following month, the dates of completion, the trade, craft or industrial occupations for which the apprentice or trainee is being trained and the name and address of each employer.

(2) The names of all apprentices and trainees who dropped out of their program during the preceding month, the dates of termination, the trade, craft or industrial occupation for which each was being trained and the name and address of each employer. [1963 c.645 §4; 1967 c.6 §14]

**660.125** [1955 c.719 §5; 1957 c.270 §8; 1967 c.6 §15; 1977 c.299 §1; 1979 c.831 §1; repealed by 1981 c.764 §20 (660.126 enacted in lieu of 660.125)]

**660.126 Apprenticeship standards.** (1) Apprenticeship standards shall contain statements of:

(a) The apprenticeable occupation to be taught and a designation of the geographical area or areas in which the standards shall be applicable;

(b) The qualifications required of apprentice applicants and the minimum eligible starting age, which shall be at least 16 years unless a higher age is required by law;

(c) The outline of work processes in which the apprentice will receive supervised work experience and training on the job, and the allocation of the approximate time to be spent in each major process;

(d) The term required for completion of apprenticeship, which shall be consistent with requirements established by industry practice for the development of requisite skills, but in no event shall be less than 2,000 hours of reasonably continuous work experience;

(e) The approximate number of hours to be spent by the apprentice at work and the approximate number of hours to be spent in related and supplemental instruction;

(f) The minimum numeric ratio of journeymen to apprentices consistent with proper supervision, training, safety and continuity of employment, which shall be specifically and clearly stated as to application in terms of job site, work force, department or plant;

(g) A probationary period reasonable in relation to the full apprenticeship term, with full credit given for such period toward completion of apprenticeship and with provision that during the probationary period, the apprenticeship agreement may be terminated without cause;

(h) A progressively increasing schedule, showing the percentages of the journeyman hourly wage to be paid the apprentice at each level of apprenticeship achieved;

(i) Such additional provisions as the council may, by rule, deem necessary or advisable to effectuate the policies and duties prescribed and imposed by this chapter; and

(j) The content of related training with training objectives.

(2) Notwithstanding subsection (1) of this section, the council may approve the inclusion of standards of additional provisions, or of provisions which depart from the requirements of

subsection (1) of this section, where such standards or provisions have been submitted by joint employer and employe groups, or may be part of legitimate bargaining agreements between an employer and employes. The council, in making its decision, shall take into consideration the following factors:

(a) The possibility that the provision might result in curtailment of opportunities for apprentices to receive training or continuity of employment;

(b) The possibility that the provision might result in the diversion of needed qualified applicants for apprenticeship, and particularly of qualified applicants of protected classes, into unskilled or semiskilled jobs for which an adequate supply of labor already exists;

(c) The possibility that the provision might result in disputes among the participants in the programs such as might curtail the cooperation necessary to build an adequate, skilled labor force in the State of Oregon;

(d) The need to safeguard the health, safety, continuity of employment and welfare of the apprentices and to insure the public welfare;

(e) The need to raise the level of skill in each apprenticeable occupation to provide to the public quality goods and services at a fair price and adequate and skilled manpower for the defense of the nation; and

(f) The need for providing training in the licensed occupations for the protection of the apprentices and of the general public. [1981 c.764 §8 (enacted in lieu of 660.125)]

**660.128** [1957 c.270 §10(2); 1967 c.6 §16; repealed by 1981 c.764 §20]

**660.130** [Amended by 1955 c.719 §8; 1967 c.6 §17; repealed by 1969 c.597 §281]

**660.135 Local joint committees; members; meetings; authority of individual employed to assist committees.** (1) In each locality where apprentices are employed, there shall be formed as many local joint committees as are necessary to serve the needs of the various apprenticeable occupations.

(2) Each local joint committee shall have no more than eight members, all actively participating in apprenticeship programs, and shall consist of an equal number of representatives of employers and employes. The principal members and the alternate members, one alternate for each of the principal members, shall be selected pursuant to procedures established by the council. The alternate members may attend all committee meetings, participate in discussions and perform such duties as may be delegated to them

by the committee, but may not vote at committee meetings except when actually serving to substitute for an absent principal committee member for their respective employer or employe.

(3) Each local joint committee shall select a chairperson and a secretary, for such terms and with such powers and duties necessary for the performance of the functions of such offices as the committee determines. The secretary shall maintain an accurate record of all proceedings of the committee, which shall be made available for public inspection at any reasonable time upon request. A copy of the minutes of each meeting shall be sent to the Commissioner of the Bureau of Labor and Industries. A quorum for the transaction of committee business shall consist of two representatives of employers and two representatives of employes. Each local joint committee shall meet as often as is necessary to transact business. Meetings may be called by the chairperson, or at the request of the majority of the members of the committee.

(4) When an individual is employed by a joint industry group, association or trust to assist local joint apprenticeship or training committees, trade committees or state joint committees in the performance of their statutory duties, such individual is authorized to perform any clerical, ministerial or other functions as the committees may direct. [1967 c.6 §19; 1977 c.490 §3; 1981 c.764 §11]

**660.137 Duties of local apprenticeship and training programs.** Every local apprenticeship or training program administered by a local joint committee, or by a trade committee functioning as a local joint committee, shall:

(1) Propose to the council standards for the local program which are in substantial conformity with ORS 660.126 and with the uniform standards, if any, adopted by the state joint committee for that occupation, and recommend to the council modifications of the standards.

(2) Administer its program in conformity with its approved standards, with the provisions of this chapter, and with the rules and policies of the council. Particularly, the local committee shall:

(a) Maintain records of all apprentices in its program, with respect to work experience, instruction on the job, attendance at related instruction and progress, and such other records as may be appropriate or required, and shall submit such reports as the council or appropriate governmental agencies may require;

(b) Submit to the state joint committee appropriate requests for changes in courses of study for the instruction of apprentices; and

(c) Be responsible for apprentices receiving necessary on-the-job and related instruction, and for all apprenticeship agreements being promptly registered with the council.

(3) Be responsible for the recruitment, qualification, selection, approval and registration of apprentices entering the program, including the evaluation of previous creditable work experience, education and training for which advanced credit must be given; provided, however, that advanced credit may be given for such creditable experience, education and training.

(4) Review and evaluate, at least semiannually, the progress of each apprentice, as to job performance and related instruction, and consistent with the skill acquired, accordingly advance the apprentice to the next level of apprenticeship or hold the apprentice at the same level for a reasonable period, and with reasonable opportunity for corrective action, or terminate the apprentice from the program for serious or continued inadequate progress and notify the Apprenticeship Division of the Bureau of Labor and Industries of the action taken. The council and the appropriate employer or employers shall also be notified of each rerating and of the apprentice's new level on the wage schedule. Recognition for successful completion of apprenticeship shall be evidenced by an appropriate certificate issued by the council.

(5) Determine the qualifications, minimum facilities and training conditions required of an employer to serve as an approved training agent, and approve training agents accordingly; make periodic checks of approved training agents to assure that there are qualified training personnel and that there is adequate supervision on the job, adequate and safe equipment and facilities for training and supervision, and safety training for apprentices on the job and in related instruction; and withdraw approval of training agents when the qualifications are no longer met or when it appears to the committee that the employer is in violation of the terms of an apprenticeship agreement, standards, provisions of this chapter or the rules and policies of the council.

(6) Determine and redetermine at least annually the average journeyman hourly rate of wage for the purposes of ORS 660.142 and submit such rate to the director, along with a statement explaining how such determination was made. Employers who fail or refuse to provide their committee with information shall be terminated as approved training agents. The council

may withhold approval of a new program or terminate an existing program for failure or refusal by the committee or its employers to keep the established journeyman hourly rate of wage current and correct. The committee shall retain all records from which a wage determination was made for inspection by the council, as required by law. [1981 c.764 §13 (enacted in lieu of 660.141)]

**660.140** [Amended by 1955 c.719 §9; repealed by 1967 c.6 §29]

**660.141** [1967 c.6 §20; 1971 c.271 §3; repealed by 1981 c.764 §20 (660.137 enacted in lieu of 660.141)]

**660.142 Payrates for apprentices and journeymen.** (1) No employer shall pay a registered apprentice at a rate less than that obtained by applying the schedule, set forth in the applicable standards, at the apprentice's level of apprenticeship, to the journeyman hourly rate of wage currently in effect for journeymen in the occupation for which the apprentice is being trained, as determined by the appropriate local joint committee.

(2) The journeyman hourly wage rate shall be the average hourly wage currently being paid by the employers participating in a program to their skilled workers, that is, to those employes with demonstrated knowledge, experience and proficiency in that trade or occupation who are currently performing the type of work for which the apprentice is to be trained. Upon receipt of a committee's determination of its current journeyman hourly rate of wage, the director shall cause notice thereof to be promptly mailed to all apprentices and employers participating in the program. Such determination shall be in effect from the date set forth therein or, lacking such date, from the first of the month following the mailing thereof; provided, however, that no such wage determination or effective date shall alter the terms or effect of an existing collective bargaining agreement.

(3) If a higher journeyman hourly wage rate shall be prescribed by federal or state law for work on a particular project, the higher rate so established shall be controlling for purposes of determining apprentice wages applicable to that particular project.

(4) Nothing stated in this chapter shall be construed to supersede the minimum wage or overtime provisions of ORS chapters 652 and 653, or the rules adopted. Anything to the contrary notwithstanding, the entry wage (that wage derived by applying the lowest percentage on the schedule to the current journeyman hourly wage rate) shall not be less than the federal or state minimum wage rate, whichever is higher.

(5) The council may make such exceptions to the apprentice wage schedule or journeyman hourly wage rate, and to the minimum numeric ratio of journeymen to apprentices, as it deems necessary or advisable to further the operation of apprenticeship and training programs in penal and correctional institutions. [1981 c.764 §10]

**660.145 Trade apprenticeship and training committees.** In an area where it is not practicable to establish a local joint apprenticeship committee or a local joint training committee, a trade committee for apprenticeship and training may be formed to administer the standards of various separate programs approved by the council. Members shall consist of one employer and one employe representing each occupation affected, who shall be selected pursuant to the procedures established by the council. A trade committee for apprenticeship or training shall function in the manner prescribed for a local joint committee as to all occupations affected, except that recommendations to the council for amendments or modifications to the standards of a particular occupation may be made only by the members from that occupation. [1967 c.6 §21, 1981 c.764 §14]

**660.150** [Amended by 1955 c.719 §10; subsection (2) of 1965 Replacement Part enacted as 1957 c.270 §9; repealed by 1967 c.6 §29]

**660.155 State joint committees.** (1) State joint apprenticeship committees may be formed in each apprenticeable occupation for the purpose of promoting and coordinating the apprenticeship goals of that occupation and of developing state-wide standards and related instructional material for a course of study in that occupation. If only one joint committee exists for a particular occupation, that local joint committee has the same duties and powers as a state joint committee formed pursuant to this section. This subsection does not apply to training programs.

(2) State joint committees shall be composed of one member representing employers and one member representing employes from each local joint committee for that occupation. Employer members of a local joint committee shall choose the employer representative to the state joint committee, and employe members shall choose the employe representative. The employer and employe members of trade committees shall be members of the state joint committee for their respective occupations, but shall be counted in determining a quorum for the state joint committee only if present. An alternate member for each principal member from a local joint committee shall also be selected in the same manner

as the principal members are selected. Each alternate member has full authority to exercise the powers of the principal member for whom the alternate was selected when that principal member is unable to perform as a committee member.

(3) Each state joint committee shall elect a chairperson and a vice-chairperson, one of whom shall represent employers, the other of whom shall represent employees. The committee may also elect such other officers as it determines appropriate. All officers elected pursuant to this subsection shall serve such terms and have such duties and powers as the committee determines appropriate for the performance of their functions.

(4) Meetings may be called by the chairperson or at the request of the majority of the members of the committee. Each state joint committee may also formulate such rules as it deems necessary for the time, place and orderly conduct of its meetings. Each committee shall transmit to the council a written record of each such meeting. [1967 c.6 §22; 1971 c.271 §4; 1977 c.490 §4; 1981 c.764 §15]

**660.157 Standard courses of study for apprentices and trainees.** (1) Each state joint committee, with the prior approval of the council, shall prescribe a standard course of study, developed from a trade analysis, for the trade, craft or industrial occupation over which the committee exercises jurisdiction. Each such course of study shall include instructional objectives and an outline of course content for related instruction and manipulative instruction in the classroom. The prescribed course shall also provide for evaluation procedures and instruments for measuring performance. For all programs in apprenticeable occupations a minimum of 144 hours of related instruction per year is recommended.

(2) Except as provided in subsection (3) of this section, no course of study for the instruction of apprentices or trainees that has not been prescribed pursuant to subsection (1) of this section may be implemented under this chapter.

(3) Notwithstanding subsections (1) and (2) of this section, any course of study for the instruction of apprentices or trainees may be implemented under this chapter where such course of study:

(a) Involves instruction in any trades or crafts where the industry will provide the facilities for training;

(b) Prepares apprentices and trainees in any trades or crafts;

(c) Requires expert instructors to meet the level of skill and training required by the industry;

(d) Is substantially equivalent to the standard course prescribed under subsection (1) of this section; and

(e) Is supervised by a local joint committee or by a joint industry trust fund committee.

(4) Where a course of study meets the requirements of subsection (3) of this section, such course shall be approved:

(a) By the state joint committee; and

(b) By the State Board of Education for apprenticeship training credit and toward community college associate degrees.

(5) Operation of a course of study under subsection (3) of this section shall be the responsibility of the recognized local apprenticeship committee or local industry trust fund or recognized local employe organization. Such local committee, trust or organization may prescribe criteria for enrollment into the course of study. [1971 c.271 §7; 1973 c.648 §1; 1979 c.808 §1, 1981 c.764 §16]

**660.158 Interstate agreements regarding courses of study.** (1) If there is an interstate agreement regarding apprenticeship courses of study between the council and an agency with similar functions in another state:

(a) Any course of study prescribed pursuant to ORS 660.157 is subject to the provisions of the interstate agreement.

(b) Each local joint committee of an occupation that is subject to the interstate agreement shall submit requests for changes in courses of study directly to the council.

(2) Apprenticeship programs which jointly form a sponsoring entity on a multistate basis and are registered pursuant to all requirements of the United States Department of Labor, Bureau of Apprenticeship and Training, or by the apprenticeship agency or council of any other state which has been recognized by the United States Department of Labor, Bureau of Apprenticeship and Training, shall be accorded approval reciprocally by the council if such approval is requested by the sponsoring entity, even though such programs and their standards may depart in some respects from the criteria of ORS 660.126 and from the other provisions set forth in this chapter. [1971 c.271 §8; 1979 c.831 §2; 1981 c.764 §17]

**660.159** [1971 c.271 §11; repealed by 1981 c.764 §20]

**660.160 Coordination of schooling for apprentices and trainees.** All district school boards shall cooperate with the council, the Department of Education, and the local joint committees or trade committees in providing the necessary related instruction classes to meet the objectives of courses of study prescribed pursuant to ORS 660.157 (1) for apprentices and trainees. The coordination of related instruction offered in these classes with job instruction, and the carrying out of the other details shall be the responsibility of the recognized local or state agency for vocational education. The apprentice or trainee shall attend such classes, either within or without the usual working hours. [Amended by 1955 c 719 §11, 1967 c 6 §23, 1971 c.271 §5; 1973 c.648 §2]

**660.162 Adoption of policies, standards and programs by State Board of Education.** The State Board of Education, in cooperation with the council and the appropriate state joint committee, shall adopt policies, standards and programs to carry out the provisions of ORS 660.002. Such policies, standards or programs may involve any of the following matters:

(1) Development of courses of study for apprentices and trainees in the trade, craft or industrial occupation over which the committee exercises jurisdiction.

(2) Operation of related instruction classes by district school boards and in courses implemented under ORS 660.157 (3).

(3) Development of uniform standards covering occupational qualifications and teacher training requirements for instructors.

(4) Preservice and inservice training for instructors.

(5) Evaluation procedures for determining credit for apprenticeship training toward community college associate degrees.

(6) Defining procedures for granting credit for work experience to instructors, skilled craftsmen or journeymen toward the requirements of a community college associate degree. [1971 c.271 §9; 1973 c.648 §3; 1977 c.490 §5]

**660.165** [1967 c.6 §5, repealed by 1981 c.764 §20]

**660.167 Adoption of policies by council.** The council, in cooperation with the State Board of Education, shall adopt policies regarding:

(1) Evaluation procedures relating to the determination of apprenticeship credit for work experience, education and training.

(2) Procedures for demonstrating the level of achievement required in any area of related

instruction, including but not limited to taking a qualifying examination of the course content.

[1971 c.271 §10]

**660.170 State Director of Apprenticeship and Training; commissioner authority to employ and incur expenses.** (1) Subject to confirmation by the council, the commissioner shall appoint a State Director of Apprenticeship and Training. The director shall be well qualified, shall serve as council secretary and shall be responsible to the commissioner for the administration of this chapter, including supervision of all office and field staff.

(2) The commissioner, with the advice and consent of the council, may appoint such other personnel and incur such other expenses as may be necessary to aid the council and the director in carrying out their duties and functions under this chapter. [Amended by 1967 c.6 §24, 1981 c.764 §18]

**660.180** [Amended by 1957 c.270 §11; 1967 c.6 §25; 1971 c.734 §104, 1977 c.299 §2; 1979 c.831 §3, repealed by 1981 c.764 §20]

**660.190 Community college training program advisory committee.** Each community college operating a preemployment or trade extension training program in an apprenticeable occupation shall appoint at least one employe member and one employer member of an appropriate local joint committee to the advisory committee for that training program. [1977 c.155 §2; 1981 c 764 §19]

### (Oregon Civilian Conservation Corps)

**Note:** Sections 1 to 14, chapter 802, Oregon Laws 1983, provide:

**Sec. 1.** The Legislative Assembly of the State of Oregon finds and declares that

(1) It is the policy of the State of Oregon to maintain a strong economy in order to provide its citizens a stable and plentiful job market, and to conserve and protect its natural resources, scenic beauty, historical and cultural sites and other community facilities,

(2) The development and maintenance of a healthy economy for Oregon depends substantially upon a strong work ethic among Oregon's young adults;

(3) Many public lands and environmental resources, including parks, rangelands, forests, wildlife habitats, fisheries, soils and waters are and will continue to be subject to resource production demand and public uses,

(4) In order to instill and preserve superior work attitudes among Oregon's young adults and to maintain, protect and conserve the valuable resources of the State of Oregon, programs need to be implemented which will assure continued economic productivity and scenic beauty, as well as the public health, safety and social benefit;

(5) To these ends, conservation work programs may prove successful and cost-effective both in providing jobs for young adults and in assisting land preservation and management agencies to conserve and protect natural and urban facilities; and

(6) As a result of such employment opportunities, benefits will redound to the state's environmental maintenance and productivity, the state's economy and to the youth participants who benefit from the exposure to and respect for the work ethic in the context of safeguarding and improving the environmental resources of the state.

**Sec. 2.** The general purposes of sections 1 to 12 of this Act are:

(1) To establish a youth work program in order to perform conservation work of public value in the most cost-effective manner;

(2) To utilize such a program as a means of needed assistance to state and local governmental units in carrying out their duties to protect, conserve, rehabilitate and improve the natural, historical and cultural resources of the state; and

(3) To utilize such a program to increase educational, training and employment opportunities for otherwise not productively employed youth for the purpose of improving work skills, instilling the work ethic and increasing employability.

**Sec. 3.** As used in sections 1 to 12 of this Act:

(1) "Corps" means the Oregon Civilian Conservation Corps.

(2) "Corpsmember" means an individual enrolled in the Oregon Civilian Conservation Corps program in accordance with sections 9 to 12 of this Act.

(3) "Corpsmember leaders or specialists" means members of the Oregon Civilian Conservation Corps who serve in leadership or training capacities or who provide specialized services other than or in addition to those types of work and services performed by corpsmembers in general.

(4) "Director" means the Director of the Oregon Civilian Conservation Corps.

(5) "Public lands" means any lands and waters or interest therein owned or administered by any agency or instrumentality of the state or any local government.

**Sec. 4.** (1) Subject to the availability of funds therefor, there is created an Oregon Civilian Conservation Corps which shall direct and administer a year-round emergency services, public conservation, rehabilitation and improvement program. The corps may be headed by a director, appointed by the Governor as a result of an open-hiring procedure, and subject to confirmation by the Senate under ORS 171.562 and 171.565.

(2) Upon implementation of subsection (1) of this section, there may be created an Oregon Civilian Conservation Corps Advisory Committee to consist of nine members, three to be appointed by the President of the Senate, three to be appointed by the Speaker of the House of Representatives and three public members to be appointed by the Governor. No more than one Senator and one Representative shall be appointed. Members shall receive no compensation for service on the committee. Members may be removed by the appointing authority. Vacancies shall be filled by the ap-

pointing authority. Members shall serve for a term of three years and may be reappointed for an additional consecutive term.

(3) The advisory committee established under subsection (2) of this section shall advise the director on the implementation of sections 1 to 12 of this Act.

**Sec. 4a.** Notwithstanding the term of office in subsection (2) of section 4 of this Act, each appointing authority shall make initial appointments as follows:

(1) One for a term ending June 30, 1984.

(2) One for a term ending June 30, 1985.

(3) One for a term ending June 30, 1986.

**Sec. 5.** (1) The director shall establish biennial goals for the review of the Governor and Legislative Assembly and shall report on the goals and the activities undertaken by the corps in the preceding two fiscal years, including a cost-effectiveness analysis of all completed, ongoing and proposed projects.

(2) With the advice of the advisory committee created under subsection (2) of section 4 of this Act, the director shall gather statistical information regarding subsequent employment and educational participation of former corpsmembers.

**Sec. 6.** (1) The director may take the following actions, including but not limited to:

(a) Recruiting and employing staff; corpsmember leaders and specialists;

(b) Adopting criteria for the selection of applicants to the corps;

(c) Executing contracts for employment in the corps;

(d) Executing contracts for furnishing the services of the corps to any local, state or federal public agency or any local or state-wide private organization concerned with the objectives of the corps' work program as specified in section 2 of this Act;

(e) Executing the necessary arrangements for furnishing the services of the corps to any local, state or federal public agency for emergency services occasioned by natural and other disasters;

(f) Applying for and accepting grants or contributions of funds from any public or private source;

(g) Making agreements with any local, state or federal agency to utilize any service, material or property of any such agency, where such agreements are considered reasonable and necessary; and

(h) Purchasing or contracting for necessary private services, equipment, materials and property where such are needed to carry out the projects approved for and undertaken by the corps.

(2) The director shall give priority to those projects that provide long term benefits to the public; provide productive work experience to the corpsmembers involved; are labor-intensive; and may be facilitated promptly and to completion.

(3) The director shall adopt all necessary rules to carry out the purposes and objectives of the program and to

regulate the standards of conduct and other operating guidelines for corpsmembers and other personnel.

(4) Staff and employes of the corps shall be exempt from the State Personnel Relations Law.

**Sec. 6a.** The director may establish a training academy to which each corpsmember shall report upon enrollment. The academy may be located at appropriate public facilities. While in attendance at the academy, corpsmembers shall undergo placement evaluations, health examinations, orientation into the corps safety instruction and such other evaluations, examinations and instruction as the director considers necessary. Attendance at the academy shall be for such period as the director considers necessary to prepare the corpsmember to participate fully in corps programs.

**Sec. 7.** The program established under this Act may include, but shall not be limited to, projects such as:

- (1) Forestry and nursery operations;
- (2) Rangeland conservation, rehabilitation and improvement;
- (3) Endangered species and other wildlife habitat conservation, rehabilitation and improvement;
- (4) Urban revitalization;
- (5) Historical and cultural site preservation and maintenance;
- (6) Recreational area development, maintenance, improvement and beautification;
- (7) Road and trail maintenance and improvement;
- (8) Soil conservation work, including erosion control;
- (9) Flood, drought and storm damage assistance and relief;
- (10) Stream, lake, waterfront harbor and port improvement and pollution control;
- (11) Fish culture and habitat maintenance and improvement;
- (12) Insect, disease, rodent and other pestilence control;
- (13) Improvement of abandoned railroad land and right-of-way;
- (14) Land reclamation and improvement, including strip-mined lands, public landscape work and tree planting programs;
- (15) Energy conservation projects including assistance in the performance of energy efficiency audits, weatherization and renewable resource enhancement;
- (16) Emergency assistance in times of natural or other disaster; and
- (17) Recycling projects.

**Sec. 8.** The director and staff shall assure that projects selected under this Act for conservation, rehabilitation or improvement shall be consistent with all other provisions of applicable state and federal law relating to the management, oversight and administration of affected public lands.

**Sec. 9.** (1) Except for corpsmember leaders or specialists, enrollment in the program shall be limited, insofar as the limitation would not render the program ineligible for federal funds, to individuals who, at the time of enrollment, are:

- (a) Lawful permanent residents of the state;
  - (b) Not on probation or parole, except on special exemptions as determined by the director; and
  - (c) Not less than 17 but not more than 23 years of age.
- (2) The director of the corps shall establish criteria in order to make the required determination that enrollment in the corps was not the reason that an individual ceased attendance at a secondary school.

**Sec. 9a.** (1) The director shall determine that the projects selected under this Act:

- (a) Result in an increase in employment opportunities over those opportunities which would otherwise be available;
- (b) Not result in the displacement of currently employed workers, including partial displacement such as reduction in the hours of nonovertime work or wages or employment benefits;
- (c) Not impair existing contracts for services or result in the substitution of state for other funds in connection with work that would otherwise be performed,
- (d) Not substitute jobs assisted under this Act for existing federally assisted jobs;
- (e) Not employ any person when any other person is on layoff by an employer from the same or any substantially equivalent job in the same area; and
- (f) Not be used to employ any person to fill a job opening created by the act of an employer in laying off or terminating employment of any regular employe, or otherwise reducing the regular work force not supported under this Act, in anticipation of filling the vacancy so created by hiring a person to be supported under this Act.

(2) Where a labor organization represents employes who are engaged in similar work or a workers' cooperative is engaged in work in the same area to that proposed to be performed under the program for which an application is being developed, the organization or cooperative shall be notified and shall be afforded a reasonable period of time prior to the submission of the application in which to make comments to the applicant and to the director.

**Sec. 10.** Corpsmember leaders and specialists shall be at least 18 years of age in commencing service as a leader or specialist in the corps.

**Sec. 11.** Selection of corpsmembers shall be made by the director. Screening and referral may be done by the Employment Division.

**Sec. 12.** When selected and enrolled in the corps, the following terms and conditions of service shall apply:

- (1) Corpsmembers may serve in the corps for a period not to exceed two years, with a standard primary term of one year and shall be entitled to receive the minimum wage.
- (2) Corpsmember leaders and specialists may serve in the corps for a period not to exceed three years, inclusive of

any period of prior service as a corpsmember and may receive a pay increment for service as leaders or specialists.

(3) Corpsmembers, including leaders and specialists, are employes of the state and may perform any and all of the work projects and experiences set out in section 7 of this Act or any other work project so designated by the director through rules adopted by the director or staff.

(4) Notwithstanding any other provision of law, corpsmembers, including leaders and specialists, shall not be eligible for state retirement or other pension benefits, unless required by federal law.

(5) Corpsmembers, including leaders and specialists, shall not be eligible for unemployment insurance benefits based on service in the corps, unless required by federal law.

(6) Corpsmembers, including leaders and specialists, are subject workers under ORS chapter 656.

(7) The director shall enter into an agreement with each corpsmember whereby the corpsmember authorizes a payroll

deduction for reasonable costs of food and lodging, costs of health care and costs of expendable equipment.

**Sec. 13.** Notwithstanding any other law, the amount of \$1 is established for the biennium beginning July 1, 1983, as the maximum limit for payment of expenses from fees, moneys or other revenues, including miscellaneous receipts and federal funds, collected or received by the Oregon Civilian Conservation Corps.

**Sec. 14.** This Act is repealed June 30, 1985.

**660.195** [1977 c.490 §8; repealed by 1981 c.764 §20]

**660.200** [1977 c.490 §9, repealed by 1981 c.764 §20]

**660.990** [Amended by 1967 c.6 §26; repealed by 1981 c.764 §20]

