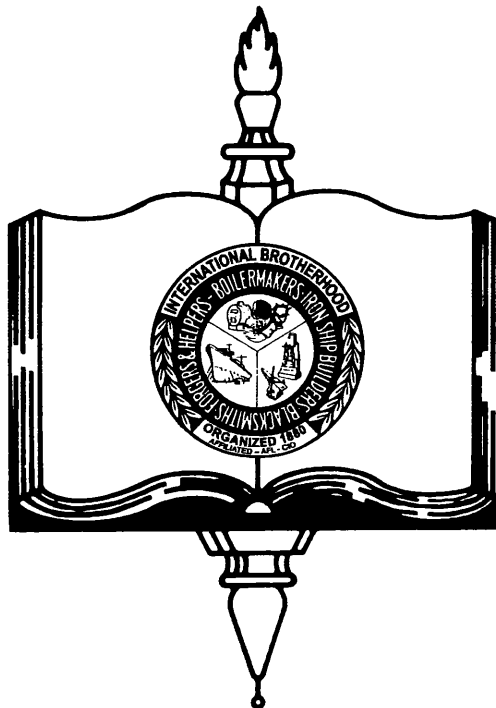


**BOILERMAKERS NORTHEAST AREA  
APPRENTICE COMMITTEE**

**STATEMENT OF RULES, REGULATIONS AND  
POLICIES FOR APPRENTICES**

revised October 25, 2016



## INTRODUCTION

Welcome to the Boilermakers Northeast Area Apprentice Program.

The Apprentices of today will become the Journeyworkers of tomorrow. The Program is therefore conducted with firmness and in accordance with the National Standards and Rules as set forth by the National Joint Apprenticeship Board. To comply with the Standards and to promote a smoother operating Program, the Northeast Committee sets forth the following Rules and Regulations, which must be observed by each Apprentice in the Program. These policies are subject to revision at anytime. Local Committee Rules, to the extent they conflict with or are inconsistent with these rules, are superseded.

If you have any questions about the Apprentice Training Program or these policies, please call (860) 569-8368.

John Fultz, Chairman  
Northeast Area Committee

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**MISSION OF THE BOILERMAKERS NORTHEAST AREA**  
**APPRENTICE COMMITTEE**

It is the mission of the Boilermakers Northeast Area Apprentice Committee (“Committee”) to operate an educational and on-the-job training program (Apprentice Training Program) to train Apprentices and Journeyworkers to become skilled Boilermakers.

Toward these ends, the objectives of the Apprentice Training Program are to promote:

1. Safety in all aspects of the trade;
2. Excellence in instruction in accordance with national and local standards in all aspects of the Boilermaker trade;
3. On-the-job training in all aspects of the Boilermaker trade;
4. Understanding of and respect for all Apprentices, Boilermakers, management personnel, other individuals and craft trades involved in the construction and maintenance industry.

In order to perform these essential job functions, all Apprentices must have the ability to do the following:

**JOB DESCRIPTION OF AN APPRENTICE BOILERMAKER AND TECHNICIAN**

An Apprentice Boilermaker must possess the skills and abilities necessary to perform the functions set forth in the Department of Labor’s Dictionary of Occupational Titles, attached hereto as Exhibit A, including but not limited to the following essential functions:

1. Physical Requirements

a. Lifting

Occasional lifting, carrying pushing and/or pulling 50 lbs, maximum. Frequent lifting and/or carrying up to 30 lbs.

b. Climb and/or Balance

Ascending or descending ladders, stairs, scaffolding, ramps, poles a minimum of six (6) feet on a regular basis and up to one hundred (100) feet or more on an occasional basis, maintaining body equilibrium to prevent falling when walking, standing or crouching on aerial lifts or uneven surfaces.

c. Stooping, Kneeling, Crouching and/or Crawling

Bending downward and forward by bending spine at waist; bending legs at knees to come to rest on knee or knees; bending downward and forward by bending legs and spine; moving about on hands and knees or feet.

d. Reaching, Handling, Fingering and/or Feeling

Extending hand(s) and arm(s) in any direction; seizing, holding, grasping, and turning objects using hands; picking, pinching, or otherwise working with fingers; perceiving size, shape, temperature, or texture of objects through contact with skin, primarily fingers.

e. Seeing

The ability to perceive the nature of objects by use of the eyes; consider acuity far, acuity near, depth perception, field of vision, accommodation, etc.

f. Working Conditions

Both Inside and Outside Work

Performing tasks where exposure to and protection from weather conditions are both present in significant portions of the time spent working. Incidental, or infrequent exposure or protection is classified under either “inside,” or “outside” categories.

g. Hazards

Ability to anticipate and/or prevent danger of life, health or exposure to bodily injury such as proximity to moving mechanical parts, exposure to electrical shock, working in high or exposed places, exposure to burns, radiant energy, radiation, explosives, or toxic or caustic chemicals.

h. Work Functions

Analyzing

Reading and understanding work orders, blue prints, instructions, and manuals. Examining and evaluating data. Presenting alternative actions in relation to the data is frequently involved. Data includes numbers, words, symbols, ideas, concepts and oral verbalization.

i. Speaking/Signaling

Talking with and/or signaling people to convey or exchange information. Includes giving assignments and/or directions to helpers or assistants.

j. Precision Working

Using body members and/or tools or work aids to work, move, guide, or place objects or materials in situations where ultimate responsibility for the attainment of standards occurs and selection of appropriate tools, objects, or materials, and the adjustment of the tool to the task require exercise of considerable judgment.

2. The ability to use, manipulate, and maintain the following tools, or other similar tools, which may be required to perform Boilermaker work:

AAC equipment	Combination square
Adhesives	Combination wrench
Adjustable drill press vise	Cutting goggles
Adjustable wrench	Die-grinder
Air hose and quick disconnect	Drift pin
Air tugger	Drift punch
Alignment punch	Drill press
Appropriate ventilation equipment for welding	Electric drill
Assorted chisels	Electric grinder
Assorted dies	Equipment to build a tubing water level
Assorted pipe wrenches	FCAW equipment
Assorted reamers	File
Assorted screwdrivers	Framing level
Assorted taps	Framing square
Ball peen hammers	Friction lighter
Beam clamps	Gasket cutters
Bench grinder	GMAW equipment
Bench and pipe vise	Gouging tips
Blocks	GTAW equipment
Box-end wrench	Hacksaw, assorted hacksaw blades
C-clamps	Half round file
Center punch	Hand file
Chain pipe vise	Hand scrapers and wire brushes
Chipping hammer	Hearing protection
Chop saw	Hi-Lo gauge
Circular saw	Hydraulic jacks
Come-along	Impact sockets

Impact wrench	Sheaves
Ladders or scaffolding	Sledgehammer
Layout boards	Slings
Leather gauntlet-type gloves	Slip joint pliers
Locking pliers	Slugging wrench
Lubricants	SMAW equipment
Machinist's bench vise	Snatch blocks
Magnetic base drill	Soapstone
Mechanic's bench vise	Socket wrench set
Open-end wrench	Square file
Oxyfuel cutting equipment	String line level
Parallel pliers	Tag line
Pencil grinder	Tape measure
Pillar file	Thread gauge
Pin punch	Tip cleaners
Pipe jack stand	Torpedo level
Pipe tap	Torque multiplier
Pipe threading machine	Triangular file
Pipe wrench	Tube beveler
Pliers	Tube roller
Portable band saw	Tubing cutter
Portable drill	Turnbuckles
Portable grinder	Two-wheel pipe cutter
Porta-power	Utility knives
Prick punch	Various grinding wheels
Reciprocating saw	Various pipe line-up clamps
Respirator	Washing tips
Rigging devices	Welding leathers
Round file	Welding table clamp
Sealers	Wheel-and-roller pipe cutter
Shackles	Wraparound
Torque wrench	Yoke pipe vise

3. Ability to perform related functions, including but not limited to:
  - a. understand and follow directions;
  - b. read and comprehend schematic diagrams, blue prints, diagrams, the applicable codes, and manuals;
  - c. knowledge of verbal and physical commands;
  - d. maintain and clean equipment;
  - e. ability to react quickly in unexpected emergencies; and,
  - f. complete familiarity with and adherence to all safety procedures.



4. Initiative, motivation, and responsibility; and
5. Ability to do the following work with others. In order to perform these essential job functions, all Apprentices must have spatial aptitude, motor coordination and manual dexterity, as well as the ability to:
  - a. Perform work requiring full-time and overtime hours outdoors in all types of weather;
  - b. Be punctual and dependable;
  - c. Take orders, work well and in harmony with other trades people, and be respectful;
  - d. Communicate through hand signals with others;
  - e. Sit, stand, lift and/or carry for 10 hours or more per day;
  - f. Work in enclosed and/or confined spaces for significant periods of time;
  - g. Grasp and manipulate small and large tools, equipment and controls;
  - h. Be able to pass state and federally mandated physical and drug screen, and any drug testing program required by contractors or the Northeast Area Committee.

## **REGULATIONS**

### **I. RESPONSIBILITY AND AUTHORITY**

The Committee is governed by a Board of Trustees, which consists of ten Employer and ten Union representatives. The Trustees are responsible for the operation of the Boilermaker Apprentice Program.

The Trustees have delegated to the Northeast Area Committee the responsibility and authority for the selection, qualifications, education, training, evaluation, certification, and the supervision of all Apprentices.

Establishment and operation of Local Special Skills Schools are the responsibility of the Committee and the Local Committee. Location and hours of school operation shall be determined by the Local Committee. Attendance by Apprentices is mandatory.

Only the Trustees of the Northeast Area Committee have the authority and broad discretion to determine, among other things, eligibility for Apprenticeship and the right to continue as an Apprentice, including the manner in which hours are credited, eligibility for step increases, qualifications for progression from year to year, discipline, termination, and interpretation and application of these Regulations and Policies. Local Committee rules, to the extent that they conflict with or are inconsistent with these Rules, are superseded.

Only the Trustees of the Northeast Area Committee have the authority to make decisions for the Fund. No Local Lodge Officer, Business Agent, Local Lodge Employee, Employer or Employer Representative, consultant, actuary, attorney or any other person is authorized to speak for, or on behalf of, or to commit the Trustees of the Fund on any matter relating to the Fund without the express authority of the Trustees.

### **II. INDENTURE**

Each Apprentice is indentured to the Committee and is directly responsible to the Committee for all matters pertaining to his or her Apprentice training.

Upon signing the Indenture Certificate, all Apprentices agree to work on any job assignment within the area covered by the Local Lodge to which the Apprentice is indentured. Failure of the Apprentice to accept an assignment is grounds for dismissal from the program.

### **III. PROBATIONARY PERIOD**

Each Apprentice entering the Program shall be on probation until such a time as the Apprentice documents 1,500 hours of work performed as an Apprentice (within the jurisdiction of the Local) obtained through the Local Hiring Hall, or one year from date of indenture, whichever is less.

During this probationary period, any suspension provided in these Regulations may be doubled. Any Probationary Apprentice may be terminated at anytime, for any infraction, without an opportunity for appeal.

#### **IV. ACADEMIC PERFORMANCE AND GRADING**

Students must complete a minimum of 144 hours of related instruction each year. Students must maintain a 72% average to successfully complete the year and to be eligible for Step-Rate increases. An Apprentice who does not maintain a 72% average may be terminated from the Program or may be required to repeat the year without wage advancement.

It is the individual responsibility of each Apprentice to coordinate his/her activities with each instructor in relation to homework assignments, make-up tests and term end marks.

Each Apprentice is required to take tests and receive passing grades (72% and above) for all forty-eight (48) lessons. Each Apprentice is required to complete eighteen (18) On-The-Job Training Modules (OJTs), prior to graduation from the Program.

Each Apprentice will be given a schedule of required grade completions for each six (6) month period.

Each Apprentice must maintain this schedule to qualify for pay advancement. Each Apprentice must complete any and all requirements which become effective during their Apprenticeship as mandated by the Boilermakers National Apprentice Program.

Failure to follow this schedule will result in freezing his/her pay at the present level until the schedule is met.

**Apprentices are allowed only one opportunity, on approval by the Committee, to repeat a school year. A second failure will result in dismissal from the Program.**

#### **V. RELATED STUDIES - CORRESPONDENCE SCHOOL COURSE**

Forty-eight (48) texts (lessons), each having a test (examination) constitutes the compulsory studies program for the Boilermaker Apprentice. Each Apprentice is required to submit a total of \$450 (divided into four payments payable each year) in book fees. Any enrollment fees paid into the Program will be reimbursed to the Apprentice upon successful completion of the Program. Apprentices not successfully completing the Program shall forfeit any monies submitted.

Each Apprentice is required to take tests and receive passing grades (72% and above) for all forty-eight (48) lessons. Each Apprentice is required to complete eighteen (18) On-The-Job Training Modules (OJTs), prior to graduation from the Program.

Each Apprentice will be given a schedule of required grade completions for each six (6) month period.

Each Apprentice must maintain this schedule to qualify for pay advancement. Each Apprentice must complete any and all requirements which become effective during their Apprenticeship as mandated by the Boilermakers National Apprenticeship Program.

Failure to follow this schedule will result in freezing his/her pay at the present level until the schedule is met.

An Apprentice failing to qualify for two (2) successive pay raises shall be suspended from the Program until he/she receives passing grades in all delinquent lessons.

## **VI. ATTENDANCE – SCHOOL**

Students must maintain a minimum level of attendance in each school year. Unexcused absences are not permitted.

Absences for the following reasons are considered excused absences:

1. Jury duty;
2. Up to three days for the death of a mother, father, aunt, uncle, grandparent, spouse, child, niece, nephew or cousin, or the mother, father, aunt, uncle, grandparent, spouse, child, niece, nephew or cousin of your spouse;
3. Approved parental leave;
4. Approved medical leave of absence;
5. Illness, provided that the Apprentice calls the Local Coordinator before the class that is missed and provides a doctor's note certifying that the Apprentice was ill and is now fit for duty;
6. Military duty, provided that the Apprentice has complied with the eligibility and notice provisions of USERRA. Apprentices who are on periodic duty for the Guard or Reserve must present to the Committee a Certificate of Membership and list of projected assemblies signed by the Commanding Officer. Members of the Reserve must maintain their academic standing and are responsible for coordinating with their instructors and completing all home assignments;
7. Any other absence or leave for which the Training Coordinator or the Committee has given advance approval.

When an Apprentice has an unexcused absence, or an Apprentice's number of excused absences exceed the allowable number of absences, or when other aspects of the Apprentice's performance causes concern, regardless of the number of absences, then the Apprentice will be subject to discipline, up to and including termination from the Apprenticeship and Training Program, in accordance with Discipline and Termination, below.

No more than five (5) excused absences are permitted during an academic year, unless the absence is protected by law, or the Local Coordinator **and** Area Coordinators have approved the additional time off. If an Apprentice has more than three (3) unexcused absences, or more excused absences than permitted by the Committee, disciplinary action may be taken, up to and including suspension or discharge. A suspended Apprentice is required to attend classes until he or she appears before the Committee, but will not be permitted to work or to receive credit during the period of suspension.

## **VII. TARDINESS AND EARLY DISMISSALS**

The Committee has adopted the following guidelines regarding tardiness and early dismissal.

1. Two (2) tardies will be counted as one (1) full absence (or combination thereof / per month).
2. Two (2) early dismissals will be counted as one (1) full absence (or combination thereof / per month).
3. Any unauthorized absence during the school sessions shall be marked as a complete absence.
5. No student shall leave the building for any reason after school starts without permission from the instructor.

## **VIII. WORK REPORTS**

1. Apprentices shall submit Work Reports covering each month and/or each job – whether working or not. Such reports shall be submitted no more than sixty (60) days following the last day of the month covered by the report. The information required in the report shall be completed by the Apprentice – including specific tasks performed on the job and number of hours spent on each task. The Apprentice must then submit their completed Work Report to the Immediate Foreman or Supervisor (at the end of the job or at the end of the month – ***whichever occurs first***). The Immediate Foreman or Supervisor will complete Apprentice job attendance data, Apprentice job performance evaluations, and **hours accuracy and verification**.
2. If the Apprentice was out of work for an entire calendar month, the box indicating such should be checked and submitted. No Foreman or Supervisor signatures are needed.

3. The apprentice – not the supervisor, nor any Local Lodge representative – is responsible for completion of the Work Reports as indicated above and mailing of the Work Reports directly to the Northeast Area Coordinator's office.
  - a. The failure to file a completed Work Report within sixty (60) days from the end of the month for which it is being reported shall result in discipline. An Apprentice who provides any false information or forges or causes someone else to forge any information, signatures or name shall be terminated immediately.

## **IX. CODE OF CONDUCT AND GENERAL REGULATIONS**

All Apprentices are expected to arrive on time for school and work, to be fully prepared to perform the duties assigned to them, to work cooperatively with others, and to act in a manner which reflects credit on the Northeast Area Apprentice Program and the industry. Towards these ends, the Apprenticeship Training Program expects all Apprentices to meet the following minimum expectations.

### **CONDUCT IN SCHOOL**

1. Apprentices will treat instructors, other Apprentices, employers, fellow employees and members of the public with respect at all times.
2. Instructors have full authority to regulate the classroom behavior and will assist other instructors in the regulation of behavior in all common areas, including parking lots.
3. Apprentices must accept and complete all assignments.
4. Any student creating or causing a disturbance or refusing to accept the direction of an instructor will be dismissed and recorded as absent for the day or evening classes. Any student in violation of this paragraph must meet with the Local Coordinator or his/her designee before being permitted to re-enter the school.
5. Any student found damaging, defacing, mutilating or destroying desks, walls, tools equipment or any other property of the Committee will be subject to discipline, up to and including termination, and will be dismissed and recorded as absent for the day or evening classes. Any student in violation of paragraph must meet with the Local Coordinator or his/her designee before being permitted to re-enter the school.
6. The consumption of alcoholic beverages on the premises is not permitted and is grounds for discipline up to and including immediate termination. Any student found in violation will be dismissed and marked absent for the day or evening classes. Any student in violation of this paragraph must meet with the Local Coordinator before being permitted to re-enter the school.

7. Any student found possessing using, or selling illegal drugs on the property or at work will be terminated from the program and his/her indenture will be canceled.
8. Any Apprentice found stealing school property is subject to immediate termination.
9. Any Apprentice found in possession of firearms or other deadly weapons at the school or on school property is subject to immediate termination.
10. Cheating, plagiarism, or falsification of any documents related to Apprenticeship, including work records, will result in termination from the program.
11. Cell phones, beepers, iPods, text messaging devices, and all other electronic communications and entertainment devices are not permitted in the classroom. Any student found using one of these devices shall be expelled from the classroom and not permitted to return until he/she meets with the Local Coordinator.
12. No hats or sunglasses may be worn while students are seated in a classroom. A student violating this provision shall be expelled from the classroom and not permitted to return until he/she meets with the Local Coordinator.
13. No food or beverages are allowed in classrooms.
14. Smoking is not allowed in the building, but is permitted in the parking lots or other designated areas.
15. Loafing or sleeping on school property is not permitted, unless authorized by the Local Coordinator.
16. Employers and Apprentices may not solicit work assignments from each other. Apprentices must accept work assignments. Failure to do so may result in termination from the Program.
17. Apprentices may not leave the school without authorization of the instructor.
18. Apprentices must wear safety equipment when instructed to do so.
19. There shall be no horseplay or fighting on school property.
20. Gambling on school property is strictly prohibited.
21. Students found wandering the hall and without excuse shall be released for the day or evening classes and marked absent.
22. Any student involved in an industrial accident must supply the Committee with a copy of the accident report form, as filed with the employer

23. All students are responsible for having the proper texts and homework at each assigned class; failure to have the proper text and homework will mean dismissal from the class and a recorded absence.
24. Each student owns their text material; these books along with the course material will provide a reference library which cannot be purchased elsewhere.
25. Each Apprentice shall be responsible for keeping the Committee, Local Committee, Union and Trust Funds informed of any change of address or telephone number.

## **ON THE JOB CONDUCT**

The Area Committee and the Local Committee may also evaluate your performance in the program based on your on the job performance. You may be subject to discipline by the Committee or the Local Committee for infractions on the job. The Area Committee and the Local Committee may take into consideration discipline or terminations by an employer for any reason, including but not limited to:

1. Excessive absenteeism
2. Excessive tardiness
3. Loafing or sleeping on the job-site
4. Leaving the work place or job-site without authorization of supervisor
5. Failure to use or wear safety equipment
6. Engaging in horseplay on the job-site
7. Gambling on the job-site
8. Disobedience to security officer's request or directive
9. Intoxication or drug abuse on the job-site
10. Insubordination or refusal to accept work assignments on the job-site
11. Fighting on the job-site
12. Inappropriate Dress/Appearance – Apprentices must be dressed appropriately according to OSHA guidelines and company policy
13. Theft of project or employer's property on the job-site
14. Picking up or turning in other employees' time cards, badges or employee numbers
15. Possession of firearms or other deadly weapons on the job-site
16. Deliberately damaging or mutilating project materials, tools or equipment
17. Illegal possession of any narcotics, controlled substances or non-prescription drugs on the job-site



18. Falsification of documents – such as welding certifications, quality control reports, social security numbers, etc.

## **X. CONTRACTOR/EMPLOYER TERMINATIONS**

Contractors will notify the Local Lodge in the event that an Apprentice is terminated. The Local Lodge will notify the Northeast Area Coordinators.

If an Apprentice is terminated by a signatory contractor for cause and the termination is substantiated with employer work records, the Apprentice may be suspended and directed to appear and show cause why he or she should not be terminated from the Program, in accordance with the Discipline and Termination Policy above.

## **XI. WORK ASSIGNMENTS AND LAY-OFFS**

Apprentice work assignments shall be made by the Local Lodge Business Manager, or his/her designated representative, in accordance with the applicable Local Lodge Referral Rules.

An Apprentice may not refuse work assignments (except for compelling reasons approved by the Business Manager) anywhere within the geographical jurisdiction of the Local Lodge.

Any drug testing policies currently in place or adopted shall be thoroughly adhered to, there shall be no exception.

Upon completion of a job, Apprentices are required to make themselves available for work in accordance with the Local Lodge referral rules. Failure to do so will result, at a minimum, in suspension from the Apprentice Referral List. Apprentices are required to call in 'available' when suspension time is completed. Apprentices are required to register with the Union Hall, in accordance with the Local Lodge Referral Rules, upon completion of their suspension.

Apprentices may not quit a job without a justifiable cause and without first notifying and obtaining the permission of the Chairperson of the Local Area Committee.

## **XII. STEP-RATE RAISES**

If an Apprentice has met all the requirements of the Apprentice Training Program, the Apprentice will receive a Step Rate raise in accordance with Section XI of the Apprentice Standards. The Northeast Area Committee has the sole authority to review, allow or reject Step-Rate raises.

### **XIII. DISCIPLINE AND TERMINATION**

Violation of these Regulations or the Policies of the Apprenticeship and Training Program may result in discipline. Disciplinary action may include, but is not limited to:

1. Verbal warning/counseling;
2. Written warning;
3. No progression to the next pay grade;
4. Suspension from the Program for twenty-one (21) to sixty (60) days. Suspended Apprentices will be required to attend classes until the next meeting of the Committee, but will not be permitted to work but shall not receive credit during the period of suspension;
5. Suspension from the Program until the Apprentice appears before the Committee to show cause why the Apprentice should not be terminated from the program. Suspended Apprentices will be required to attend classes until the next meeting of the Committee, but will not be permitted to work but shall not receive credit during the period of suspension;
6. Termination.

The nature, severity, duration, and scope of discipline is at the sole discretion of the Committee. The Committee may, in its discretion, take into consideration the Apprentice's job performance in assessing the need for disciplinary action. The Committee is not required to follow any particular steps or progression of discipline, and retains the authority to assess the discipline it, in its judgment, determines to be appropriate under all the facts and circumstances.

The Committee may require an Apprentice to enter into a Disciplinary Agreement with the Apprentice Training Program and may require an Apprentice to seek assistance from an Employee Assistance Program as a condition of continued participation in the Apprentice Training Program.

The Coordinator is authorized to suspend and remove from employment any Apprentice who violates any of the Rules and Regulations of the Committee, pending the next meeting of the Area Committee.

### **DISCIPLINE PROCEDURES**

#### **Service of Suspension**

All Apprentices are required to attend Local Special Skills Schools during the term of suspension, but shall not receive credit during the period of suspension.

Suspensions are given by the Area Coordinator with copies sent to the Local Committee and the Business Manager. Reasons for suspension from the Program are provided in these regulations. Suspensions range in severity from 21 days to 60 days. Any and all suspensions will be handled in the following manner:

- When a non-employed Apprentice is to serve a suspension, he or she will be removed from the Apprentice Referral List and will be ineligible to be referred for employment for the duration of the suspension.
- When an employed Apprentice is suspended, it shall be the responsibility of both the Union and the Local Committee to advise the Employer of the suspension.

### **Written Notice**

All letters of warning/suspension/termination shall be issued by the Area Coordinator(s). All letters of warning/suspension/termination will be mailed to the Apprentice's last known address by first class and certified mail, return receipt requested. The Apprentice shall be responsible for maintaining a current address with the Local Committee and the Area Coordinator(s).

### **Termination**

Any Probationary Apprentice may be terminated at anytime, for any infraction, without an opportunity for Appeal.

Terminated Apprentices – including both Probationary and Non-Probationary - will be eligible to re-apply *1-year* after the date of separation and will be eligible for re-admittance with letters of recommendation from *both* the Business Manager and Contractor representative.

## **XIV. APPEAL**

Any non-Probationary Apprentice may Appeal a written letter of warning, suspension or Termination from the Apprenticeship Program imposed by these regulations only in the following manner.

- A. By written appeal to the Boilermakers Northeast Area Apprenticeship Committee, mailed by certified mail, return receipt requested to the Area Coordinator(s) within thirty (30) days of the date of mailing of the discipline to the Apprentice. Failure to Appeal in this manner shall be the waiver of any rights to Appeal the discipline imposed.
- B. Within fifteen (15) days of receipt of the Apprentice's written, mailed Appeal, the Area Coordinator(s) shall mail to the Apprentice's last known address notice of the date, time and location of a hearing before the Boilermakers Northeast Area Apprentice Committee. The hearing shall be scheduled no sooner than fifteen (15) days from the date of mailing of the hearing notice.
- C. At the hearing, the Apprentice will be afforded the opportunity to refute the allegations which form the basis of the discipline being appealed. The Apprentice shall represent

him/herself and is responsible for bringing any evidence or witnesses the Apprentice deems necessary to dispute the discipline. All expenses incurred for the Apprentice to appear at this hearing will be the Apprentice's responsibility.

- D. The Northeast Area Apprenticeship Committee shall mail a written decision to the Apprentice at the last known address within fifteen (15) days of the adjournment of the hearing.

## **XV. REGISTERED APPRENTICESHIP COMPLAINT PROCEDURE**

Complaints and concerns regarding the Boilermakers Northeast Area Apprentice Program should be brought to the attention of the Area Coordinator(s). The following state and federal agencies oversee registered Committees and have complaint procedures in place for handling complaints concerning Committees.

### **State Apprenticeship Agencies**

If an Apprentice or applicant for Apprenticeship has a complaint or concern relative to the Apprentice Program which is not resolved by the Committee, the Apprentice or applicant may make a complaint to:

#### **CONNECTICUT**

Connecticut Labor Department  
Office of Apprenticeship & Training  
200 Folly Brook Boulevard  
Wethersfield, CT 06109-1114  
Telephone: (860) 263-6085

#### **DELAWARE**

Manager Apprenticeship and Training Section  
225 Corporate Boulevard  
Suite 104  
Newark, DE 19702  
Telephone: (302) 451-3419

#### **MAINE**

Maine Department of Labor  
55 State House Station  
Augusta, ME 04333-0055  
Telephone: (207) 623-7974

#### **MASSCHUSETTS**

Massachusetts Department of Labor & Workforce Developments  
Director, Division of Apprenticeship  
Charles F. Hurley Building

19 Staniford Street  
Boston, MA 02114  
Telephone: 617/727-5409

NEW HAMPSHIRE

Federal Employment and Training Administration  
U.S. Department of Labor  
Frances Perkins Building, 200 Constitution Ave., NW  
Washington, DC 20210

NEW JERSEY

Department of Labor and Workforce Development  
1 John Fitch Plaza  
P.O. Box 110  
Trenton, NJ 08625-0110

NEW YORK

Division of Employment and Workforce Solutions  
New York State Department of Labor  
State Campus Building #12, Room 450  
Albany, NY 12240  
Telephone: (518) 457-0380

OHIO

Ohio State Apprenticeship Council  
Office of Workforce Development, ODJFS  
P.O. Box 1618  
Columbus, OH 43216-1618  
Telephone: (614) 466-9498

PENNSYLVANIA

Bureau of Labor Law Compliance  
Pennsylvania Department of Labor and Industry  
1301 Labor and Industry Building  
7th and Forster Street  
Harrisburg, Pennsylvania 17120  
Telephone: (717) 787-3681

RHODE ISLAND

RI Department of Labor and Training  
Division of Professional Regulation  
1511 Pontiac Avenue  
Post Office Box 20247  
Cranston, Rhode Island 02920  
Telephone: (401) 462-8536

### VERMONT

Vermont Department of Labor Apprenticeship Division  
5 Green Mountain Drive P.O. Box 488  
Montpelier, VT 05601-0488  
Telephone: (802) 828-5082

### WEST VIRGINIA

Workforce Investment Board  
531 Market Street  
Parkersburg, WV 26101  
Telephone: (866)424-7271

### **U.S. Department of Labor**

In addition, any Apprentice or applicant for Apprenticeship who believes that he or she has been discriminated against on the basis of race, color, religion, national origin, or sex with regard to Apprenticeship or that the equal opportunity standards with respect to his or her selection have not been followed in the operation of an Committee may, personally or through an authorized representative, file a complaint with the Department of Labor. The complaint shall be in writing and shall be signed by the complainant. It must include the name, address and telephone number of the person allegedly discriminated against, the program sponsor involved, and a brief description of the circumstances of the failure to apply the equal opportunity standards.

The complaint must be filed not later than one hundred eight (180) days from the date of the alleged discrimination or specific failure to follow the equal opportunity standards. The time may be extended by the Department of Labor for good cause shown.

Complaints may be filed with:

#### Washington Office:

Federal Employment and Training Administration  
U.S. Department of Labor  
Frances Perkins Building, 200 Constitution Ave., NW  
Washington, DC 20210

#### Regional Offices:

##### REGION I: NEW ENGLAND, NEW YORK, NEW JERSEY

U.S. Department of Labor  
ETA/OA  
JFK Federal Building  
Room E-370

Boston, MA 02203  
Telephone: 617/788-0177

REGION II: PENNSYLVANIA

U.S. Department of Labor  
ETA/OA  
Suite 820-East  
170 S. Independence Mall, West  
Philadelphia, PA 19106-3315  
Telephone: 215/861-4830

REGION V: OHIO

U.S. Department of Labor  
ETA/OA  
230 South Dearborn Street, 6th floor  
Chicago, IL 60604  
Phone: (312) 596-5400

**EEOC**

Any Apprentice or applicant for Apprenticeship who believes he/she has been discriminated against on the basis of race, color, religion, national origin, or sex with regard to Apprenticeship, or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an Apprenticeship program may personally, or through an authorized representative, file a complaint with the Registration Agency, or, at the Apprentice's or applicant's election, with a private review body (if established by the Northeast Area Committee), or they may directly contact the Federal Equal Employment Opportunity Commission (EEOC).

Complaints may be filed with:

Washington Office:

U.S. Equal Employment Opportunity Commission  
1801 L Street, N.W.  
Washington, D.C. 20507  
Phone: (202) 663-4900  
TTY: (202) 663-4494

District Offices:

NEW ENGLAND & NEW YORK

U.S. Equal Employment Opportunity Commission  
New York District Office  
33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004

Telephone: 1-800-669-4000

DELAWARE, NEW JERSEY, PENNSYLVANIA, & WEST VIRGINIA

U.S. Equal Employment Opportunity Commission  
Philadelphia District Office  
801 Market Street, Suite 1300  
Philadelphia, PA 19107  
Telephone: 1-800-669-4000

OHIO

U.S. Equal Employment Opportunity Commission  
Indianapolis District Office  
101 West Ohio Street, Suite 1900  
Indianapolis, IN 46204  
Telephone: 1-800-669-4000

The complaint must be filed not later than one hundred eighty (180) days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and, in the case of complaints filed directly with review bodies designated by the program sponsors to review such complaints, any reference of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or thirty (30) days from the final decision of such review body, whichever is later.

The complaint shall be in writing and shall be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the program sponsor involved, and a brief description of the circumstances of the failure to apply the equal opportunity standards.

Complaints of harassment in the Apprenticeship program may be filed and processed under Title 29, CFR, Part 30, and the procedures as set forth above.

Complaints under Title VII of the Civil Rights Act of 1964 must be filed within one hundred eighty (180) days (300 days where there is a state investigative agency) and may be filed with the agencies listed below.

Washington Office:

U.S. Department of Labor  
OFCCP  
Frances Perkins Building  
200 Constitution Ave., NW  
Washington, DC 20210



Regional Offices:

NORTHEAST REGIONAL OFFICE

Northeast Regional Office  
U.S. Department of Labor  
OFCCP  
201 Varick Street, Room 750  
New York, NY 10014  
(646) 264-3170

MID-ATLANTIC REGIONAL OFFICE

Mid-Atlantic Regional Office  
U.S. Department of Labor  
OFCCP  
Curtis Center, Suite 200 East  
170 S. Independence Mall West  
Philadelphia, PA 19106-3317  
(215) 861-5765

Local Offices:

CONNECTICUT, VERMONT

Hartford District Office  
U.S. Department of Labor  
OFCCP  
Wm. R. Cotter Federal Building  
135 High Street, Room 219  
Hartford, CT 06103-1111  
Telephone: (860) 240-4277

MASSACHUSETTS, NEW HAMPSHIRE, RHODE ISLAND, MAINE

Boston District Office  
U.S. Department of Labor  
OFCCP  
John F. Kennedy Federal Building, Room E-235  
Boston, MA 02203  
Telephone: (617) 624-6780

NEW JERSEY

Mountainside District Office  
U.S. Department of Labor  
OFCCP  
200 Sheffield Street, Room 102  
Mountainside, NJ 07092  
Telephone: (908) 317-6969

NEW YORK

Buffalo Area Office  
U.S. Department of Labor  
OFCCP  
Niagara Center  
130 South Elmwood Avenue, Room 536  
Buffalo, NY 14202  
Telephone: (716) 842-2979

New York District Office  
U.S. Department of Labor  
OFCCP  
26 Federal Plaza, Room 36-116  
New York, NY 10278

OHIO

Columbus District Office  
US Dept. of Labor  
OFCCP  
John Bricker Federal Building  
200 North High Street  
Room 409  
Columbus, OH 43215

PENNSYLVANIA

Philadelphia District Office  
U.S. Department of Labor  
OFCCP  
Robert N.C. Nix Sr. Fed. Bldg.  
9th & Market Streets, Rm. 311  
Philadelphia, PA 19107  
Telephone: (215) 597-4121

WEST VIRGINIA & PENNSYLVANIA

Pittsburgh District Office  
U.S. Department of Labor  
OFCCP  
Federal Building  
1000 Liberty Ave., Room 2103  
Pittsburgh, PA 15222  
Telephone: (412) 395-6330

## **POLICIES**

### **EQUAL OPPORTUNITY, NON-DISCRIMINATION AND HARASSMENT POLICY**

The Boilermakers Northeast Area Apprentice Committee is committed to equal opportunity in Apprenticeship and to maintaining a training program free of harassment based on sex, color, race, religion, national origin, age, disability or sexual orientation. All instructors, employees, Apprentices, journey members and cooperating contractors are expected to conduct themselves in a professional manner with concern and respect for any individual participating in the Boilermakers Apprenticeship and Training Program.

Discrimination and harassment are unacceptable and will not be tolerated. Such harassment includes verbal or physical attacks, unwanted or unsolicited remarks, gestures or physical contact. The display or circulation of written materials or pictures which are derogatory to anyone or which have the effect of unreasonably interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive work/educational environment are all unacceptable.

In addition, unwelcome sexual advances, requests for sexual favors, remarks or jokes of a sexual nature and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's Apprenticeship at school or work.
2. Apprenticeship and training decisions concerning an individual are based on whether the person submitted to or rejected the harassing action.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work/educational performance, or creating an intimidating, hostile, or offensive work/educational environment.

Violations of this policy should be brought to the attention of the Area Co-Coordinator Jason Dupuis or Stephen Murphy. If the conduct complained of occurred at school, the Coordinator will conduct an immediate investigation and take appropriate action. If the conduct in question occurred on-the-job, the Coordinator will refer the incident to the Local Lodge Business Manager and the responsible contractor for investigation, and will act as a liaison for the Apprentice. You should receive and review copies of the contractor's policies at the time of hire.

Retaliation against an Apprentice for reporting a complaint or participating in an investigation is prohibited and constitutes a separate violation of this policy.

**BOILERMAKERS NORTHEAST AREA APPRENTICE COMMITTEE**  
**DRUG, ALCOHOL AND JOB PERFORMANCE POLICY**

The Boilermakers Northeast Area Apprentice Committee recognizes that substance abuse exists in the Apprentice Training Program and in the trade. Substance abuse and impairment compromise workplace safety. This Policy is intended to eradicate substance abuse in the Apprentice Training Program, and to provide Apprentices the opportunity to receive help necessary to become healthy, productive and safe journey workers.

**Policy**

1. Drug and alcohol use will not be tolerated on the job or at school.
2. Total abstinence is required before and during school or work. Apprentices must not be under the influence of drugs or alcohol at school or work. (This also includes any breaks.)
3. Any Apprentice found using, distributing, selling, or in possession of alcoholic beverages and/or drugs on any training site, or at the work place, may be immediately terminated from the program.
4. Apprentices shall comply with all relevant collective bargaining agreement provisions regarding drug testing and will adhere to the Mobilization, Optimization, Stabilization, and Training ("MOST") Program guidelines for testing and treatment. This includes an annual drug test.
5. An Apprentice shall be referred to MOST by an instructor if in the instructor's opinion the Apprentice is in violation of Sections 1, 2 3 or 4. An Apprentice may also be referred to MOST by a job foreman, superintendent, owner, steward, or journey member in accordance with the collectively bargained procedures for drug testing referrals.
6. Each applicant who has been accepted into the Program conditioned upon completion of a drug test will be required to undergo a drug test before admission to the Program.
7. The Committee reserves the right to test Apprentices on a random basis, where permitted by and in accordance with state law.
8. Apprentices who fail the drug test will be subject to discipline, which will include, at a minimum, suspension for the balance of the year and loss of credit for that year. The Apprentice will be referred to MOST. The Apprentice will appear before the Committee to determine whether the Apprentice will be readmitted to the Apprentice Training Program at the end of any suspension.
9. When appropriate, the Committee may, in its sole discretion, afford the affected Apprentice an opportunity to be referred to an employee assistance professional.
10. The Committee may take disciplinary action up to and including termination for failure to fulfill the requirements of this Policy, or any collectively bargained Drug and Alcohol Policy.

**Procedure**

**Step #1**

An initial violation of this policy shall call for a conference between the Area Coordinator and the Apprentice. At this meeting the Apprentice may be referred to MOST for evaluation and

referral, the matter may be disposed of by the Area Coordinator, or the matter may be referred to Step #2.

### Step #2

A formal meeting will be held with the Area Coordinator and/or Committee. The Area Coordinator and/or the Committee may refer the Apprentice to MOST and/or impose discipline.

Should counseling be recommended by MOST, the Apprentice will make available to the Area Coordinator, the Trustees, and the Committee, reports of his or her progress. The Apprentice must sign an agreement giving the Area Coordinator and/or Committee permission to have CONFIDENTIAL discussions with the counselor, limited to whether the Apprentice is or is not fit for duty. This will enable the Program to come to a comprehensive understanding of the Apprentice's status, prior to any major decisions being made as to his/her future with the Committee.

## **BOILERMAKERS NORTHEAST AREA APPRENTICESHIP COMMITTEE SOCIAL MEDIA POLICY**

Many apprentices are members of some form of social media, such as Facebook, Twitter, Instagram or YouTube. This can be an exciting and engaging technology, but it also comes with risks. Therefore, the Boilermakers Northeast Area Apprenticeship Committee issues the following rules and regulations to all of its apprentices regarding their activities online.

1. The Apprenticeship Program does not tolerate discrimination in any form. Therefore, slurs based on race, ethnicity, sex, gender, sexuality, nationality, religion, or physical disability will not be tolerated.
2. While you may identify yourself as a Union member or participant in the Apprenticeship Program, you are not allowed to present yourself as an official representative of the Union or Apprenticeship Program.
3. Apprentices shall not disclose any educational materials provided by the Apprenticeship Program.
4. You may not post anything that depicts you engaged in criminal activity.
5. Use your good judgment. Never forget how easy it is to lose control of what you post online, as people you know or even members of the public can disseminate your postings. Once you post something online, you never know whether you will be able to take it back. In many ways, the Internet never forgets what you have posted. Therefore, bear in mind that anything you post could remain online and out of your control for years after you post it. Therefore, please think twice before pushing that “post” or “send” button. Please also make a thoughtful decision about what privacy settings you use on social media.

Nothing in this social media policy is designed to interfere with, restrain, or prevent employee/apprentice communications regarding wages, hours, other terms and conditions of employment, and/or issues internal to the union or apprenticeship program. Apprentices have the right to engage in or refrain from all such activities.

A violation of this policy may result in discipline up to and including dismissal from the Apprenticeship Program.

## **PERSONS WITH WHOM COMPLAINTS MAY BE FILED**

### **BNAP**

Mark Wertz, National Coordinator  
Boilermakers National Apprenticeship Program  
12200 NW Ambassador Dr., Suite 312  
Kansas City, MO 64163-1200

### **NORTHEAST AREA**

John Fultz, NEAAC Chairman  
NE Area Apprenticeship Committee  
12200 NW Ambassador Dr., Suite 333  
Kansas City, MO 64163-1200

Michael Bray, NEAAC Sec'y.  
Riggs Distler  
4 Esterbrook Lane  
Cherry Hill, NH 08003-4002

Jason Dupuis, Administrator  
Stephen Murphy, Coordinator  
NE Area Apprenticeship Committee  
19 Thomas Street  
East Hartford, CT 06108

## ACKNOWLEDGEMENT OF RECEIPT

I have received a copy of the Boilermakers Northeast Area Apprentices Committee Rules, Regulations and Policies for Apprentices booklet on the below indicated date. I understand it is very important that I read and understand the contents of this booklet because violation of the Regulations set forth in this booklet can result in my suspension and termination from the Apprentice Program. I furthermore acknowledge that amendments to the policies in this booklet will be made from time to time and that I will adhere to any and all amendments. If I have any questions concerning this booklet, I understand I am invited to direct those questions to the NE Area Administrator at (860) 569-8368.

Print Name: \_\_\_\_\_

Sign Name: \_\_\_\_\_

Date: \_\_\_\_\_