



## Ohio Administrative Code

### Rule 5101:11-3-01 Procedures for program registration and subsequent program changes.

Effective: October 1, 2020

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(A) To be eligible for program registration, a sponsor must have a physical presence in Ohio and either be incorporated in the state or have operated in Ohio for at least twelve months. This provision shall not be interpreted to preclude any employer from joining an existing apprenticeship program. The applicant must have resources to carry out the functions of a registered sponsor, including but not limited to related instruction, on-the-job training, administrative duties, and record keeping.

(B) To have legal effect, program registration and changes in registered programs must be approved by the council office in keeping with the following procedures:

(1) Each applicant for program registration must submit a set of program standards to the council office, in the form of an organized, written plan embodying the terms and conditions of employment, training, and supervision in one or more apprenticeable occupation(s) which the standards shall identify in terms of the registered apprenticeship coding system.

(2) Additionally, the standards shall provide:

(a) The name of the registration entity to which the sponsor has applied for approval; and

(b) The name and address of the organization sponsoring the program and the name, address, phone number, and signature of the sponsor's authorized representative.

(3) The standards shall include language demonstrating in detail the program's conformity with each requirement of rule 5101:11-3-02 of the Administrative Code, and specifying, where applicable, any differences among occupation courses within the program.

(4) Where the proposed standards, a collective bargaining agreement, or other instrument provide for a local union to participate in operating a program, the program's registration shall be subject to that



local union's agreement or lack of objection, which shall be communicated to the council office in writing along with the standards document. Where a local union is the collective bargaining agent of the employee(s) to be trained, but is not expected to participate in operating the program, the sponsor shall provide the local union a copy of its proposed standards; shall allow forty-five days for receipt of local union comments, if any, before submitting the document to the council office; and shall append to the standards any comment(s) received in the process and an attestation that the provisions of this paragraph have been observed.

(5) The council office shall grant provisional registration to a program submitting standards in the prescribed manner, if such standards meet the requirements of division 5101:11 of the Administrative Code.

(a) Provisional registration shall be effective for one year. At the end of that period, the council office shall perform a compliance review of the program. Using procedures described in rule 5101:11-7-01 of the Administrative Code, the review shall assess conformity with the program's approved standards and all requirements for registered programs, as described in division 5101:11 of the Administrative Code, and will ascertain the need for an affirmative action plan and whether a demographic deficiency exists in terms defined in paragraph (B) of rule 5101:11-6-02 of the Administrative Code. A program found to meet the criteria of this review shall, at the council office's discretion, either receive full registration or remain in provisional status through its first full training cycle.

(b) At the end of its first full training cycle, each registered program shall receive another compliance review. Any program still provisionally registered at that point, shall become fully registered if the results of this review are satisfactory.

(c) If a one-year or first-cycle review finds that a program is either not operational or not complying with the requirements of division 5101:11 of the Administrative Code, the council office shall de-register the program.

(6) The council office shall create an official record of every provisional and full registration. In the case of provisional registration, the council office will provide the respective sponsor with confirmation of program approval by means of a certificate or other written statement.



(7) Any proposal by a sponsor to change an aspect of its program that is governed by division 5101:11 of the Administrative Code, shall be promptly submitted to the council office for review. Within ninety days of receiving the proposal, the council office will determine whether to approve the change. If approved, the change will be recorded as an amendment to the program standards. If not approved, the sponsor will be notified of the disapproval and the reasons therefore and will be given the appropriate technical assistance.