

WAC 296-05-200 Apprenticeship programs—Cancellation. (1) When the supervisor determines that a program is operating in violation of its program standards, these rules, or applicable laws, the supervisor may recommend a program's registration be canceled. Cancellation of a program also serves to cancel any apprenticeship agreements.

(2) The supervisor must:

(a) Provide notice of deficiencies to the program and 60 calendar days to correct the identified deficiencies;

(b) Provide notice that the program's registration may be canceled if the deficiencies are not corrected within 60 calendar days of receipt of the notice, and a notice of correction is sent to the supervisor within 60 calendar days of receipt of the notice;

(3) If the program does not correct identified deficiencies in a timely manner, the supervisor may begin the following procedures to cancel the program's registration. The supervisor must:

(a) Make a written recommendation to the WSATC that the program be canceled;

(b) Provide a record to the WSATC detailing the notice given to the program to correct identified deficiencies;

(c) Provide notice of the recommendation to the program sponsor and the apprenticeship committee responsible for administering the program;

(d) Provide the required notice 30 calendar days before the next regularly scheduled quarterly meeting for the WSATC to act on the supervisor's recommendation to cancel a program's registration. Absent an emergency, if notice is given fewer than 30 calendar days, the supervisor's recommendation to cancel a program's registration is heard at the subsequent regularly scheduled quarterly meeting. A rescheduling of the regularly scheduled quarterly meeting does not affect the date to provide the required notice; the date for providing the required notice will remain based on the original scheduled date of the WSATC regular meeting.

(4) When the recommended program cancellation is heard before the WSATC, the supervisor or any interested party may present evidence or testimony to the WSATC regarding the recommended cancellation. The WSATC must vote on the supervisor's recommendation to cancel a program's registration. If a majority of the members approve the supervisor's recommendation, the WSATC provides written notice to all interested parties that the program's registration has been canceled. The program sponsor has 30 days from the date the WSATC mails its notice to the program sponsor to file an appeal with the director.

(5) When the supervisor recommends a program be canceled because the program violates federal law, and the WSATC cancels the program's registration as required by federal law, the program may also file an appeal with the U.S. Department of Labor, pursuant to 29 C.F.R. Parts 29 and 30.

[Statutory Authority: Chapter 49.04 RCW. WSR 23-09-056, § 296-05-200, filed 4/18/23, effective 5/19/23. Statutory Authority: RCW 49.04.010 and 19.285.040. WSR 18-17-149, § 296-05-200, filed 8/21/18, effective 10/10/18. Statutory Authority: Chapter 49.04 RCW and RCW 19.285.040. WSR 11-11-002, § 296-05-200, filed 5/4/11, effective 7/25/11. Statutory Authority: RCW 49.04.010, 2001 c 204, and chapter 49.04 RCW. WSR 01-22-055, § 296-05-200, filed 10/31/01, effective 1/17/02.]