

Chapter Ind 95

APPRENTICESHIP

Ind 95.01	Standards	Ind 95.06	Effect of bargaining agreements
Ind 95.02	Area joint committees	Ind 95.07	The indenture
Ind 95.03	Application forms	Ind 95.08	Manual
Ind 95.04	Apprentice wages	Ind 95.09	Forms
Ind 95.05	Procedure in processing indentures where there are area joint apprenticeship committees		

Ind 95.01 Standards. (1) The department may adopt state-wide or area apprenticeship standards covering minimum training requirements, procedure in processing indentures, qualification of applicant employers and apprentices, functions of joint apprenticeship committees, and such other matters as constitute an apprenticeship program in a particular trade.

(2) The department may recognize but will not be a party to agreements as to apprenticeship standards or similar understandings when such standards in their entirety are part of a bargaining agreement between the management and its employees.

(3) In trades for which no uniform apprenticeship courses or schedules of training have been adopted by the department, the employer may execute a special agreement with the apprentice, subject to the approval of the department.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.01, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.02 Area joint committees. (1) The function of joint apprenticeship committees is to act in an advisory capacity to the department and to be parties to indentures as provided in s. 106.01 (5i) (a), Stats. Equal employer-employee representation is a requirement. Candidates for membership are nominated by the organizations which the members are to represent. To be recognized as a joint apprenticeship committee each individual member shall be officially so designated by the department. The geographical jurisdictional area of each such joint apprenticeship committee shall be determined by the department.

(2) This rule does not apply to shop or plant sponsored apprenticeship programs or to joint apprenticeship committees created under the terms of a bargaining agreement between the management and its employees.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. (1), Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.02, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.03 Application forms. Where the department requires application forms to be filled out by applicant employers and apprentices, the forms shall be approved by the department.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.03, Register, April, 1981, No. 304, eff. 5-1-81.

Register, April, 1981, No. 304
Apprenticeship

Ind 95

Ind 95.04 Apprentice wages. (1) An apprentice indenture wage scale is deemed adequate when, during the term of training, it averages 60% of the current journeyman rate. The indenture should provide for a graduated scale progressing in periods as approved by the department.

(2) In determining the journeyman or skilled wage rate, the following formula governs: In trades in which it is common practice to bargain collectively on a community-wide or area-wide basis, the journeyman wage is that rate received by a greater number of journeymen in the same trade and community than any other rate. The department will not normally approve a skilled rate for apprenticeship purposes more than 20% below the journeyman rate in the area. In controversial cases, growing out of the fact that the committee's jurisdictional area is so great as to extend into communities in which application of this policy proves impracticable, the department reserves the right to make exceptions.

(3) In other trades or trade groups in which collective bargaining is on the basis of an individual plan or establishment, the skilled rate is that rate specified in the bargaining agreement. In establishments not covered by bargaining agreement, the skilled rate is that rate paid the greatest number of competent journeyman mechanics in like establishments in the community, or such other rate deemed adequate by the department.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.04, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.05 Procedure in processing indentures where there are area joint apprenticeship committees. In trades and communities having active area joint apprenticeship committees recognized by the department, a copy of the application for approval of indentures will be referred to such committees by the department for recommendation. The department will expect applicants to appear personally before committees if and when requested to do so by the committee. If no recommendation is received by the department from the committee within 40 days after receipt of application by the committee, the department will act on the application without committee recommendation. This time limit may be extended by the department on showing of good cause. Joint apprenticeship committee recommendations on individual applications shall be subject to review and revision by the department in the event applicants are dissatisfied with committee action.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.05, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.06 Effect of bargaining agreements. Where conditions of employment of apprentices are stipulated by collective bargaining agreement, the department will be guided by the terms of such agreement provided such terms are not in conflict with state statutes or ch. Ind 85.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.06, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.07 The indenture. (1) All apprenticeship indentures shall be made upon the blank forms provided by the department.

Register, April, 1981, No. 304
Apprenticeship

(2) No indenture shall be considered in force unless it has had the approval of the department.

(3) Proof of age must be furnished the department in all cases involving minors between the ages of 16 and 18 years before approval of indenture will be given.

(4) The indenture shall state the extent of the probationary period in hours if possible but in no case shall it exceed 6 calendar months. The probationary period shall constitute part of the apprenticeship period. During the probationary period apprenticeship agreements are voidable by either party upon written notice to the department.

(5) The department may give such time credit on the term of apprenticeship as the character of previous practical experience may warrant, which time credit shall be stated in the indenture or an amendment thereto.

(6) Upon the completion, interruption or proposed termination of any apprenticeship indenture the employer shall notify the department immediately stating the reasons therefor.

(7) Minors indentured under provisions of ch. 106, Stats., shall not be subject to the law relating to prohibited employments for minors, insofar as such minors at the time of injury, are performing service within the provisions of contracts of apprentice indenture approved by the department.

(8) The terms of an existing indenture may be modified subject to approval of the department.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.08, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.08 Manual. The division of apprenticeship and training shall keep on record and make available to all interested persons the apprenticeship manual as approved by the department on July 17, 1956, or as thereafter amended.

History: Cr. Register, March, 1957, No. 15, eff. 4-1-57; am. Register, November, 1978, No. 275, eff. 12-1-78; renum. from Ind 85.09, Register, April, 1981, No. 304, eff. 5-1-81.

Ind 95.09 Forms. The following form is listed in accordance with s. 227.013, Stats., and may be obtained by writing the department of industry, labor and human relations, Madison, Wisconsin.

DILHR-APT-4224 Apprentice Indenture.

History: Cr. Register, October, 1957, No. 22, eff. 11-1-57; am. Register, November, 1978, No. 276, eff. 12-1-78; renum. from Ind 85.10, Register, April, 1981, No. 304, eff. 5-1-81.