

Memorandum

TO: Apprenticeship Staff

FROM: Jennifer Nolen, Apprenticeship Program Director

CC: Commissioner Davenport
BAT Director Walker

DATE: June 1, 2003

SUBJECT: Progressive Wage Policy

APPRENTICESHIP DIRECTIVE 03-9

The Virginia Apprenticeship Council unanimously adopted the following policy on March 20, 2003. Apprentices are paid a progressive wage by the sponsor while they are registered apprentices.

The Voluntary Apprenticeship Act, Code of Virginia 40.1-121, item 6; *the Regulations Governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia* (16VAC 20-20-40 B.1; B.13; 16 VAC 2902050 (7)); and the Minimum Standards, item 16a-d state that an apprentice is to be paid a progress wage by the sponsor.

When interpreting the above, the Virginia Apprenticeship Council finds no authority to allow a sponsor to charge the registered apprentice booth rental fees or any other charge solely for the purpose of training the registered apprentice.

Any sponsor who has signed the Department of Labor and Industry Master Agreement and agreed to the terms in the Training Program Outline, and then later charges any registered apprentice booth rental fees or any other fee for training shall be notified in writing that this practice is in violation of the Virginia Voluntary Apprenticeship Act and the terms of the Master Agreement and that such violation will be investigated by the Commissioner and the Program Office. Upon receipt of the notice, the sponsor must immediately discontinue this practice. Within ninety (90) days of receipt of the notice, payroll records shall be verified the DOLI representative and an Apprenticeship Sponsor Evaluation shall be conducted. The results are to be reported to the Program Office.

Failure to discontinue the practice of charging booth fees or other charges may constitute a material breach of the Master Agreement and may be grounds for the Council to consider deregistration of the Apprenticeship Program.