

5101:11-1-01      **Definitions.**

As used in division 5101:11 of the Administrative Code:

(A) "Administrator" means the executive director of the Ohio state apprenticeship council.

(B) "Apprentice" means a person at least sixteen years of age, except where a higher minimum age standard is otherwise fixed by law, who is participating in a registered apprenticeship program to learn a skilled occupation, pursuant to a registered apprenticeship agreement. Also known as a "registered apprentice".

(C) "Apprentice cohort" means the set of every apprentice who registers in a given occupation course during a given calendar year, minus each one whose training was canceled during the respective probation period.

(D) "Apprenticeable occupation" means one that:

(1) Is customarily learned in a practical way through a structured, systematic program of supervised training on the job;

(2) Involves progressive attainment of manual, mechanical, and/or technical skills applicable in like occupations throughout an industry;

(3) Requires two thousand or more hours of on-the-job training;

(4) Requires related instruction to supplement the on-the-job training;

(5) Is clearly identified and commonly recognized or accepted throughout an industry; and

(6) Is recognized by the registration entity and/or the United States department of labor office of apprenticeship as meeting the foregoing five criteria.

(E) "Apprenticeship agreement" means a written agreement between the sponsor of a registered apprenticeship program and a participant of that program, providing for the latter's training, and stipulating certain expectations for both parties to the agreement, as established by parts 29 and 30 of 29 C.F.R., and as further established in Ohio under division 5101:11 of the Administrative Code.

(F) "Apprenticeship committee" means a group of persons designated by the sponsor to act for it in the administration of the program and to enter on its behalf into apprenticeship agreements with apprentices.

(1) A joint committee is composed of equal numbers of representatives of the employer(s) and of the employees represented by a bona fide collective bargaining agent.

- (2) A non-joint committee, which may be also known as an individual or group non-joint committee (which may include employees), has employer representatives but does not have a bona fide collective bargaining agent as a participant.
- (G) "Apprenticeship program" means a program that trains individuals for one or more apprenticeable occupation(s), is registered by a registration entity, and combines on-the-job training and related instruction, according to the specifications established by parts 29 and 30 of 29 C.F.R., and as further established in Ohio under division 5101:11 of the Administrative Code. This model of training does not correspond to activities designated as "apprenticeship" in other divisions of the Administrative Code, except where programs are stipulated that are registered pursuant to division 5101:11 of the Administrative Code.
- (H) "Cancellation" means the termination of an apprenticeship program's registration or of an apprenticeship agreement.
- (I) "Certificate" means documentary evidence that:
- (1) A registration agency has registered an apprenticeship program that meets the requirements of division 5101:11 of the Administrative Code;
  - (2) A registration agency has determined that an apprentice has successfully met the requirements to receive an interim credential;
  - (3) A registration agency has determined that an apprentice has successfully completed an occupation course; or
  - (4) A registration agency has determined that an apprentice has been successfully registered in a registered apprenticeship program.
- (J) "Chairperson" means chairperson of the Ohio state apprenticeship council.
- (K) "Competency" means possession of a specified set of knowledge, skills, and abilities, as demonstrated by appropriate written and hands-on proficiency measurements, that is recognized throughout an industry as an important condition for successfully participating in a designated occupation.
- (L) "Completion rate" means the percentage of an apprentice cohort who complete(s) training according to the program's approved criteria, no later than one calendar year after the respective planned date(s) for doing so.
- (M) "Council" means the Ohio state apprenticeship council.
- (N) "Council office" means the unit of the Ohio department of job and family services that staffs the Ohio state apprenticeship council and performs administrative and

oversight functions concerning Ohio's registered apprenticeship system.

- (O) "Equal opportunity" means equal employment opportunity, or equal opportunity in general, the subject of various state and federal requirements for fairness and equity in hiring, training, and treatment on the job, as addressed in rule 5101:11-4-01 and Chapter 5101:11-5 of the Administrative Code.
- (P) "Electronic media" means media that utilize electronics or electromechanical energy to provide access to the content of apprenticeship instruction and/or training; and includes, but is not limited to, electronic storage media, transmission media, the Internet, extranet, lease lines, dial-up lines, private networks, physical movement of removable/transportable electronic information, and/or interactive distance learning systems.
- (Q) "Employer" means any person or organization employing a registered apprentice, whether or not such person or organization is a party to the apprenticeship agreement with the apprentice.
- (R) "Federal purposes" includes any federal contract, grant, agreement or arrangement dealing with apprenticeship; and any federal financial or other assistance, benefit, privilege, contribution, allowance, exemption, preference or right pertaining to apprenticeship.
- (S) "Full registration" means registration of an apprenticeship program for an indefinite period after its first year of operation.
- (T) "Interim attainment" means acquisition by an apprentice of a competency or set of competencies that: is identified by the relevant program standards in terms of specified levels of specified skills, knowledge, and ability, and the methods by which they will be demonstrated; is recognized throughout an industry as a meaningful measure of employability and/or further training potential; and comprises less than the full set of competencies required for completing the apprentice's occupation course.
- (U) "Interim credential" means a document issued by the council office upon request of the appropriate sponsor, as certification of interim attainment by an apprentice in a competency-based or hybrid occupation course defined under paragraph (A) of rule 5101:11-3-02 of the Administrative Code.
- (V) "Journey worker" means a worker who has attained what is recognized within the relevant industry as mastery of the skill, abilities, and competencies required for an occupation. The term may also refer to a mentor, technician, specialist, or other skilled worker who has obtained documented proficiency in an occupation, either through formal apprenticeship or other on-the-job experience and formal training.
- (W) "Minority" or "minority group," for purposes of division 5101:11 of the Administrative Code, means one of four major ethnic groups, namely African

American, American Indian, Asian, and Hispanic.

(X) "National apprenticeship system" means the combined set of all registered apprenticeship programs nationwide, those organizations that provide service to such programs, and the government agencies at various geographic levels that oversee such programs.

(Y) "Occupation course" means the training provided by an apprenticeship program in a specific apprenticeable occupation.

(Z) "Office of apprenticeship" or "OA" means the United States department of labor office of apprenticeship.

(AA) "Ohio State Apprenticeship Council" means the entity created under section 4139.02 of the Revised Code to provide advice and guidance to the state apprenticeship agency. Council members are appointed by the director of the Ohio department of job and family services.

(BB) "On-the-job training" means a structured, systematic program of supervised training provided in the course of paid work activities.

(CC) "Pre-apprenticeship" means training that imparts skills and knowledge needed for successful participation in a registered apprenticeship occupation course.

(DD) "Program standards" means a written plan describing an apprenticeship program in terms of the requirements for registration that are specified by division 5101:11 of the Administrative Code.

(EE) "Progression step" means an identifiable stage in an apprentice's training, that is defined by the program standards in terms of measurable skill acquisition, and one or more of which shall correlate with some specified increase in apprentice wages.

(FF) "Provisional registration" means the one-year initial approval of a program that meets the requirements for this procedure under division 5101:11 of the Administrative Code, after which the program will be reviewed and may:

(1) Gain full registration status;

(2) Continue as provisionally registered through its first full training cycle; or

(3) Be de-registered.

(GG) "Registered program" means a registered apprenticeship program.

(HH) "Registration agency" means an entity authorized by the office of apprenticeship (OA) to administer and enforce on a statewide basis the requirements affecting apprenticeship programs and apprentices, as established by parts 29 and 30 of 29

C.F.R., and as further established in Ohio under division 5101:11 of the Administrative Code. In Ohio, the registration agency is the Ohio department of job and family services, which exercises this function through its council office.

(II) "Registration entity" means OA or a registration agency.

(JJ) "Registration of an apprenticeship agreement" means the registration entity's acceptance and recording thereof as evidence of an apprentice's participation in a particular registered program, under stipulations established by parts 29 and 30 of 29 C.F.R., and further established in Ohio under division 5101:11 of the Administrative Code. The effective date shall be the date approved by the registration entity.

(KK) "Registration of an apprenticeship program" means the registration entity's acceptance and recording of such program as complying with the quality and accountability criteria established by parts 29 and 30 of 29 C.F.R., and as further established in Ohio under division 5101:11 of the Administrative Code, as well as with requirements for approval of such program for other federal and state purposes.

(LL) "Related instruction" means an organized and systematic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given through occupational or industrial courses, or by correspondence courses of equivalent value, electronic media, or other forms of self study; which all are subject to approval by the registration entity.

(MM) "Secretary" means the United States secretary of labor or any person specifically designated by the secretary of labor to act in the same capacity.

(NN) "Sponsor" means any organization operating a registered apprenticeship program and in whose name the program is registered. A sponsor is characterized as either "individual" (comprising a single employer and/or a union representing its employees) or "group" (including multiple employers and/or a union or association with which they are affiliated), and in both cases as either "joint" (assigning program operations to a committee equally representing organized labor and management) or "non-joint" (not involving such a committee).

(OO) "State apprenticeship agency" means a state government agency that is authorized by the office of apprenticeship to register and oversee apprenticeship programs and agreements for federal purposes. In Ohio, the state apprenticeship agency is the Ohio department of job and family services.

(PP) "State office" means the state government unit or division that carries out the day-to-day functions of, and is the main point of contact for, the state apprenticeship agency. In Ohio, this office is the council office.

(QQ) "Technical assistance" means guidance provided by the registration agency staff in the development, revision, amendment, or processing of a potential or current program sponsor's standards and/or agreements, or in furthering compliance with the provisions of division 5101:11 of the Administrative Code and those of parts 29 and 30 of 29 C.F.R.

(RR) "Training cycle" means, for a specified occupation course, a period starting in a given year on the earliest date when the course registers an apprentice, and ending when it no longer includes any apprentice enrolled in said year.

(SS) "Transfer" means a shift of apprentice registration from one program to another, or from one occupational course to another within the same program, based on concurrence between the apprentice and the affected program sponsor(s).

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