

## Notice to All Contributing Employers

### MANDATORY APPRENTICE PROGRAM

Since its inception in 2020, the Mandatory Apprenticeship Program has successfully trained hundreds of new Laborers providing safe, efficient and hard-working employees for signatory employers. This success would not have been possible without your cooperation.

Even though the majority of employers have complied with the Program, there are some employers who have not. In accordance with the collective bargaining agreement, the Joint Apprenticeship Training Committee (“JATC”) has the authority to implement and enforce the Mandatory Apprenticeship Program. In order to achieve full compliance, the JATC has adopted a new rule effective July 1, 2023 requiring an additional \$5 per hour contribution for inexperienced employees who have not registered with or completed the Mandatory Apprenticeship Program (“Non-Compliant Laborers”).

- **WHAT EMPLOYERS WHO HAVE FOLLOWED THE RULES NEED TO DO**

If you have not employed any Non-Compliant Laborers, there is nothing you need to do.

- **WHAT EMPLOYERS OF NON-COMPLIANT LABORERS NEED TO DO**

If you employ any Non-Compliant Laborers, you must immediately:

- Require them to register in the Mandatory Apprenticeship Program, or
- IF THEY STARTED WORKING BEFORE JANUARY 1, 2023, require them to sign up for the Fund’s **Experienced Worker Entrance Assessment**.

The Experienced Worker Entrance Assessment was created by the JATC in order to provide relief to those employers employing Non-Compliant Laborers who started working before January 1, 2023. The Training Fund will administer the assessment to test whether the Laborer has sufficient skills to become a journeyworker. (NOTE: Employers who have employed Non-Compliant Laborers will get a separate notice concerning specific violations of the Program and the identification of Non-Compliant Laborers that they have employed.)

Non-Compliant Laborers who pass the assessment will not be required to participate in the Mandatory Apprenticeship Program and will be considered full-scale journeyworkers. Non-Compliant Laborers who fail, or do not take, the assessment will be required to register in, meet the criteria for, and complete the Mandatory Apprenticeship Program.

Contact the Training Fund immediately at (630) 653-0006 ext 0 to schedule an assessment. These assessments will be administered beginning **APRIL 1, 2023**. Non-compliant Laborers wishing to take advantage of this **one-time opportunity** must schedule an assessment no later than **MAY 1, 2023**.

- **RULE FOR NON-COMPLIANT LABORERS**

For Non-Compliant Laborers who are not registered in the Mandatory Apprenticeship Program and continue working, their employers will be required to contribute to the Fund an additional \$5 per hour for each hour worked on and after July 1, 2023. This \$5 per hour contribution is in addition to the \$0.90 per hour contribution to the Fund that is required of all signatory employers.

- **RULES FOR EXEMPTIONS**

Employees will be considered “inexperienced” unless they meet any of the following requirements: (1) became a member of LIUNA before January 2, 2020, (2) performed a total of 2,400 hours or more of construction work\* or (3) completed any other LIUNA apprenticeship program or other Building Trades apprenticeship program. If an employee satisfies one or more of these requirements, they will be considered an experienced employee and entitled to an exemption from the Mandatory Apprenticeship Program.

\*Please note that work for a signatory contractor in the jurisdiction of the Chicago Laborers’ District Council does not count toward the 2,400-hour requirement.

- **GRACE PERIOD FROM PRE-EMPLOYMENT REGISTRATION PROCESS**

In order to make it easier for signatory employers to hire new employees, signatory employers will be able to complete an on-line form to obtain a 14-day grace period from the pre-employment registration process. The form will be included on the Fund’s website soon and will require confirmation that the applicant satisfies the eligibility requirements of the Program. The form will be located at <https://www.chicagolaborers.org/apprentice-program/apply>. If the employees have not commenced the registration process prior to the end of the 14-day period and continue to work after the end of that period, they will be considered Non-Compliant Laborers subject to the rules outlined above.

- **RATIO VARIANCE**

The Fund recognizes the potential challenges in complying with the 6:1 journeyworker to apprentice ratio in situations where an employer is growing quickly and there are few journeyworkers available for hire. The JATC or its subcommittee will hear requests for variances from the ratio on an individual basis. The form to request a variance is located at [https://www.chicagolaborers.org/content/documents/ratio\\_variance.pdf](https://www.chicagolaborers.org/content/documents/ratio_variance.pdf). To qualify for the variance, employers need to establish that their request for relief from the ratio requirement is grounded in a legitimate business purpose. If granted the variance, the employer would need to maintain the ratio with respect to pay. That is, some of the apprentices (starting with the apprentice who is closest to completion of the Program) would need to be paid journeyworker wages so that the ratio of those being paid as journeyworkers and those being paid as apprentices is consistent with the 6:1 ratio requirement. Please note that a ratio variance request will be considered on an employee-by-employee basis.

- **NOTIFICATION FOR LAID OFF APPRENTICES**

If it becomes necessary to lay off an apprentice for any reason OR you are hiring a previously laid off apprentice, you must immediately notify the Apprentice Coordinator before doing so at [appcoordinators@chicagolaborers.org](mailto:appcoordinators@chicagolaborers.org).