



ADMINISTRATIVE RULES OF MONTANA



24.21.1003 APPRENTICE-TO-JOURNEYMAN RATIO

- (1) The apprentice-to-journeyman ratio may not exceed two apprentices supervised by one journeyman.
- (2) An apprentice that has completed 60 percent or more of the on-the-job training hours and 60 percent or more of the related instruction in an apprenticeship program is not counted for purposes of the apprentice-to-journeyman ratio provided for in (1).
- (3) The apprentice-to-journeyman ratio applies to individual work sites as well as the entire firm or operation of the registered apprenticeship sponsor.
- (4) In order to prevent abuse of the apprentice-to-journeyman ratio, the department will monitor the progress toward completion of all apprentices who have reached the 60 percent completion criteria provided for in (2).
 - (a) An apprentice that does not, without good cause, maintain significant progress towards completion of the apprenticeship will be suspended from the apprenticeship program. Not maintaining significant progress, for the purpose of this rule, means that the apprentice's number of hours of related instruction and number of hours of experience are less than 90 percent of the number of hours provided for in the apprenticeship standards, relative to the amount of time the apprentice has been working. An apprentice that is notified by the department of insufficient progress has 60 days in which to catch up to the number of hours of related instruction and work experience before being suspended.
 - (b) An apprenticeship sponsor who fails, without good cause, to have at least a 60 percent rate of apprentices that timely complete the apprenticeship will be subject to restrictions on the sponsor indenturing new apprentices, and may be subject to deregistration as an apprenticeship sponsor.
 - (c) As a general practice, the apprentice-to-journeyman ratio may not ordinarily be more than one apprentice to one journeyman, notwithstanding the provisions of (2). A ratio of more than one-to-one may be allowed in the special case of a shop with a single working master with no journeyman employees, or in the event of a separation from employment by a journeyman employee that temporarily creates a more than one-to-one ratio.
 - (d) An apprentice who is aggrieved by a suspension, or a sponsor who is aggrieved by a restriction or deregistration may request in writing a contested case within 30 days of the department's action of suspension, restriction, or deregistration.

Implementing statute(s): 39-6-102, 39-6-106, MCA

History: NEW, 2002 MAR p. 2453, Eff. 9/13/02; AMD, 2015 MAR p. 374, Eff. 4/17/15; AMD, 2015 MAR p. 754, Eff. 6/12/15; AMD, 2022 MAR p. 154, Eff. 1/29/22.