

## IT Apprenticeship Agreement FAQ

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### **1. What is the purpose of the IT LOA?**

To create a career path to IT classifications, helping agencies fill positions by developing candidates through an IT Apprenticeship program. This program aims to aid agencies and employees with a clear career progression while assisting with recognized challenges in the IT field, including recruitment and retention, skill gaps and development, and progression towards full performance positions.

### **2. Why is the IT Apprenticeship classification a project employee (PE)?**

It is a temporary, unclassified appointment for individuals who are not able to meet the minimum qualifications of the full performance positions. The position is meant to provide career opportunities, training, and experience in order to prepare candidates to satisfactorily meet the qualifications of and advance into permanent position as an IT Associate.

### **3. The IT Apprenticeship classification is assigned to step 1 of pay range 29?**

Yes, all Apprentices start and remain at step 1 of pay range 29 for the duration of their appointment as IT Apprentice, with no step advancement.

### **4. Does an IT Apprentice have to stay in the Apprentice PE classification for an entire year?**

No. They must work up to 2,080 hours or have an equivalent to full-time for 1 year experience and satisfactory performance to meet the minimum qualifications of an IT Associate. If the employee is able to meet all the qualifications of an IT Associate prior to the 2,080 hours, they may be reassigned to an IT Associate within the agency the Apprenticeship took place. If the employee is accepting an associate position from an apprenticeship position within another agency, the employee would go through the application process for the Associate position that is posted, and the employee will need to resign and be re-hired with the new agency.

### **5. What does reassigned to a permanent employee in an IT Associate classification mean?**

After successfully completing the Apprenticeship (2,080 hours and satisfactory performance standards), the IT Apprentice will be reclassified from an IT Apprentice Project Employee to a permanent IT Associate. Reference #3 & #4 of the LOA. The employee will remain in the same Position Number and a Data Change/Reassigned-Pay Increase ePAR should be processed to update the classification to the appropriate IT Associate job code (the associate level that will be added to each class series for Infrastructure Specialist, Software Development, and Database Administration (69930, 69940, 69950)), the appointment type from K:Project to P:Permanent, and certification status from Unclassified to Permanent. Attach the IT Apprenticeship LOA. The employee's classified indicator will need to be manually updated to Classified by the State Services unit, reach out to your State Services Analyst after the ePAR is approved. Manually set the step entry date for 180 day step movement, see FAQ #9.

**6. If a current state employee is hired into an IT Associate position, do they serve an initial probationary period?**

Yes. A probationary period applies whether the candidate is internal or external. While on probation, employee step increases will be pursuant to #3 of the LOA.

**7. If a current state employee accepts a position as an IT Apprentice or IT Associate, can the agency remove them from state service entirely?**

Those who are current state employees at the time will fit into different categories dependent upon their specific scenario.

An employee may be removed from the position while serving as a PE or while in their first year of probation. What rights they have following removal from the position is unique to their specific fact pattern.

Those who were not previously state employees and are in the Apprentice classification will be removed from state service. Those in the Associate position will be removed from State service and do not have the option to move back into the IT Apprentice position.

Those who were state employees prior to entering the Apprenticeship program may have rights to their previous position pursuant to Article 17 & 31.01 D. However, all employees will be subject to the provisions of #4 and #5 of the LOA.

**8. Will current state employees that are placed in Apprentice or Associate have their pay adjusted to the respective pay ranges?**

Yes, the employee's rate of pay will be adjusted to the rate of pay as defined in the LOA, outlined below.

Apprentices: regardless of their previous classification or pay range, employees will be placed in Step 1 of PR 29, and will remain in Step 1 for the length of the Apprentice appointment. Use the ePAR action/reason Transfer/Transfer Between Agency or Transfer Within (for internal movement) with no multisequence selection.

Associates: pursuant to #3 of the LOA, employees will be placed in the appropriate step of PR 30 based on the Promotion, Demotion, or Lateral movement as defined by Article 17. This may be the multisequence in a Transfer Between Agency ePAR, if applicable.

**9. Do Associates receive a probationary step increase while in the initial probationary period?**

It depends. See #3 of the LOA. An IT Apprentice reassigned to the IT Associate is eligible for a probationary step increase at 180 days while serving in their initial probationary period. Agencies will have to manually set the step entry date in the Reassignment ePAR, otherwise it will default to 365 days. For assistance determining the step entry date, contact your State Services Analyst.

Step dates for Associates that were not reassigned from an Apprentice will be based on the Promotion, Demotion, or Lateral movement. External employees hired into the associate position will be eligible for step increases as new hires pursuant to the terms of the CBA.

**10. Can an individual move from Associate faster than the prescribed two-year period (4,160 hours)?**

Yes. If the employee is no longer on probation and satisfies the experience and performance requirements of a full performance position, they may be reassigned to the full performance position.

**11. Why are personnel limited in the time they can remain in the Apprentice or Associate classifications?**

To ensure timely progression to full-performance roles and prevent misuse of temporary classifications. The Apprentice and Associate classifications are intended to be developmental positions.

**12. What if the agency is unsure about an individual's performance after the one year probation?**

Agencies may use applicable contract language and management rights as for any permanent position.

**13. Why is there a cap on experience credit toward MQs in the Apprentice and Associate roles?**

To maintain the program's integrity so all individuals within the program are provided with the same credit for their time in the IT Apprentice and/or IT Associate.

**14. Why does the agency have to use progressive discipline after probation, even if not at full performance?**

Since the employee becomes permanent post-probation, normal disciplinary processes apply.

**15. Do employees who move from an Associate into a full-performance IT Classification serve a probationary period?**

No. Once reassigned from Associate to full-performance, there is no new probationary period.

**16. What is the pay range when an employee is reassigned to a full-performance classification?**

See LOA #5. The pay range will be dependent upon their classification series track.

Currently the Infrastructure Specialist, Software Development, and Database Administration, are all PR 33. Reassignments are to level 1 of the class series.

The employee will be placed in a step that allows for approximately a 4% increase over their current pay. Annual step increases follow according to the contract.

**17. Why aren't current Apprentices (pre-July 1, 2024) eligible for conversion without a signed agreement?**

Automatic conversion only applies to apprentices hired under this agreement. Apprentices hired under a previous agreement may be converted on a case-by-case basis with agreement by both the Union and the Agency.

**18. Who tracks the one-year release for cross-agency bids?**

The releasing agency tracks the one-year period and must hold a similar position open during that time.

**19. How does the releasing agency track duration of one-year extended leave?**

Monitored per Article 31.01(d). There is coordination required between HR and the employee, as well as notice per #7 of LOA to the Union. Since the employee is still working, they are in an active pay status, as opposed to a leave status. The recommendation is for the agency & employee to have a formalized document in writing with the start and end date of the 31.01D issued to the employee with a copy provided to OCSEA HQ Staff.

With a formalized document in place, all parties are aware of the 1-year time frame and end date. It is then the Employee's responsibility for opting to go back to a previously held position within the 365 days of the first day of leave.

**20. Does the Employer have to assign specific work hours, workload, or specific tasks?**

Discretion is left to the employer, with expectation that agencies will work with the apprentice/associate on determining appropriate hours, and project needs to establish duties appropriate for the development of the employee, as well as their abilities.

**21. Can an employee file a working out of class grievance?**

No. Apprentice or Associate classifications are expected to be developmental classifications, so their duties during their time in these positions will be diverse in nature to ensure opportunity for the individuals in the program to obtain the knowledge, skills, and abilities necessary for the full performance position, not just through training, but practical application.

**22. Can the probationary period be extended for employees in the Apprentice or Associate?**

Yes, but only with mutual agreement of both parties. An agreement should be signed by both Agency, OCB, and OCSEA HQ Staff.

**23. Why do IT Apprentices who are Project Employees receive limited benefits?**

They are temporary project employees. Benefits are limited to those specified in the LOA, CBA, and applicable Laws.

**24. Are IT Apprentices and IT Associates prohibited from bidding on vacant positions?**

IT Apprentice and IT Associates are subject to the provisions of the CBA, Article 17, and the LOA.

**25. When posting IT Apprenticeship and IT Associate positions, are agencies required to start everyone in the Apprentice classification?**

No. If a candidate meets the MQs for IT Associate, they can be directly appointed to that classification.

**26. Does my agency have to post an IT Apprenticeship separate from IT Associate positions?**

No. Agencies may post a combined 'Apprentice/Associate' and appoint accordingly.

**27. How are candidates selected for the Apprentice/Associate positions?**

By rank order of selection assessment score. For internal candidates, ties are broken in accordance with the contract.

**28. Can current union employees file grievances if they are not selected for an IT Associate position?**

Yes. Per Article 17 of the contract.

**29. Does my agency have to track if one-third of the available IT Apprenticeship and IT Associate appointments are awarded to internal bargaining unit members or is that measured at a statewide level?**

The one-third requirement is tracked at the statewide level.

**30. Do I have to follow the selection criteria outlined in Article 17?**

See #11 and #12 in the LOA

**31. Does the original employing Agency have to hold open a same or similar position for up to one (1) year for employees upon request for 31.01 (d)**

Yes. If the employee is granted leave under Article 31.01(d), the agency must hold a same or similar position open for up to one year. See provision #15 of the LOA.

**32. What happens to an employee after the 365-days under 31.01(d) if they do not return to their previous position?**

They continue in their current appointment and forfeit their right to return to the same or similar position.

**33. Does an employee have the right to choose to go back to their previous position?**

Yes. The employee may choose to return within one year (365 days) to the held position per the contract and terms within the LOA. The employee will be returned to their previous classification and is entitled to any steps or salary adjustments which would have occurred had the employee remained in the former position. Use the ePAR action/reason Transfer/Transfer Within, no additional multisequence, and indicate in the comments section the return is pursuant to the Apprenticeship LOA. Attach the employee's request to return. For returns per 31.01(d), the original agency will initiate a Transfer Between Agency ePAR to request the return of the employee to their previous position, processed similarly to above.

**34. Does an agency have to grant a one-year release under Article 31.01(d) for an employee to cross agency lines?**

The request must be considered in good faith and not unreasonably denied.

**35. Can an employee file a grievance if the employee is denied unpaid leave for up to one (1) year as outlined in Article 31.01(d)?**

Yes. The grievance will follow the standard grievance process.

**36. Why does an employee selected into the Apprenticeship/Associate program have to meet with an OCSEA Staff Representative and the Employing Agency Human Resources Office?**

To ensure the employee understands the LOA's terms, and how this will impact the employee's pay, including step movement, and other contractual rights,

**37. Why is the Agency prohibited from allowing PE appointments to return to work on the same projects within the same agency for one year if they are hired by an outside contractor while participating in the apprenticeship program?**

To prevent potential conflicts of interest or circumvention of the hiring process during or after program participation.