

ONTARIO YOUTH APPRENTICESHIP PROGRAM (OYAP)

Exemptions under the Ontario College of Trades and Apprenticeship Act, 2009 (OCTAA)

OYAP **participants**, including OYAP apprentices (i.e. participants with registered training agreements), are exempt from the following requirements under OCTAA:

- Minimum age (Ontario Regulation 421/12, General, Section 1)
- Practise of compulsory trade (Ontario Regulation 421/12, General, Section 2)
- Wage rates and ratios (Ontario Regulation 421/12, General, Section 3, subsection 1)

As of April 8, 2013, OYAP **apprentices** are required to become members of the College of Trades, however they are exempt from the following requirements under OCTAA:

- College of Trades membership fees (Ontario Regulation 421/12, General, Section 3, subsection 1)
- Appearing on the College of Trades' public register (Ontario Regulation 421/12, General, Section 3, subsection 2)
- Appearing before the College of Trades' committees regarding complaints, discipline or fitness to practice (Ontario Regulation 421/12, General, Part VI)

These exemptions end when the student is no longer in OYAP (i.e. has withdrawn from or completed OYAP) and continues to have a registered training agreement.

Please refer to the Ontario College of Trades and Apprenticeship Act, 2009 and regulations at www.e-laws.gov.on.ca.

Questions and Answers

Q According to OCTAA, OYAP participants are exempt from minimum age requirements. Does that mean OYAP participants can be 15 years old or younger?

A While OCTAA exempts OYAP participants from minimum age requirements, the Ministry of Training, Colleges and Universities (MTCU) and the Ministry of Education (MEDU) require that students be at least 16 years of age to be eligible for OYAP. However, if the student meets all the other criteria, the school board may make a special request to MTCU. OYAP eligibility criteria can be found at www.ontario.ca/eopg.

- Q** Sometimes the employer/sponsor is unaware of the exemption for the practise of compulsory trades. How can I make the employer/sponsor aware?
- A** School boards that deliver OYAP have created an OYAP Placement Card that includes the exemption regulation. Please contact the chair of your regional OYAP coordinators' group for access to the card.
- Q** Do the exemptions apply when the student is working at the placement outside of the regular co-op days or hours (e.g. after school, weekends, or during the summer)?
- A** It depends on whether the student has a registered training agreement (RTA) or not:
- OYAP **participants** (i.e. they do not have an RTA): the exemptions only apply while they are working at the specified placement site for the dates and hours indicated on the Work Education Agreement (WEA). This means they cannot perform compulsory aspects of the trade outside of those dates/hours or with an employer other than the one indicated on the WEA form. This requirement is indicated on the OYAP Placement Card.
 - OYAP **apprentices** (i.e. they have an RTA): the exemptions apply at any time they are working with the sponsor specified on the RTA.
- Q** When will OYAP apprentices who graduate from high school be required to pay membership fees to the College of Trades?
- A** OYAP apprentices who continue to have an RTA after completing OYAP (i.e. graduating from and leaving high school) will be required to pay membership fees to the College of Trades. The college will send a renewal notice, including an invoice for fee payment, to the apprentice on the anniversary date of their initial membership in the college.