

ORIGINAL



STATE OF WASHINGTON

BOARD OF PILOTAGE COMMISSIONERS

2901 Third Avenue, Suite 500 | Seattle, Washington 98121 | (206) 515-3904 | www.pilotage.wa.gov

TRAINING PROGRAM AGREEMENT

between the
State of Washington Board of Pilotage Commissioners
and Puget Sound Trainee
Captain Michael

Overview

Your Training Program is developed by the Trainee Evaluation Committee (TEC) as provided in the Revised Code of Washington (RCW) 88.16.035 and is based on the appropriate provisions of the Washington Administrative Code (WAC) 363-116-078. The intent of the Training Program is to give you the opportunity to demonstrate that you meet the standards set in WAC 363-116-078. The Board of Pilotage Commissioners (BPC) will evaluate your performance to determine if you have been consistently successful in completing the elements of the program.

The criteria the BPC will follow in issuing or denying a license include, but are not limited to, performance in your Training Program; piloting, shiphandling and general seamanship skills; local knowledge; bridge presence and communication skills; and the ability to function independently and safely. In order for the BPC to determine your suitability for licensing, your Training Program is designed to be comprehensive, demanding, and at times difficult.

Your Training Program has a number of requirements within the three defined phases - Observation, Training, and Evaluation - as detailed in your Training Program Requirements (Exhibit A) and Matrix (Exhibit B). You are expected to complete all requirements of your Training Program within a 36-month timeframe. It is possible to carry out more than one Training Program requirement on a single transit, also referred to as a trip, defined as commencing at vessel boarding and ending when disembarking the vessel. Each trip must be documented on a Training Program Trip Report (TPTR) form, which is completed by the supervising pilot. Each trip must also be recorded on the Training Matrix, which is maintained by you

The goal of your Training Program is to provide you with the means to demonstrate that you can safely, effectively, consistently, and independently pilot vessels in the Puget Sound district. (See RCW 88.16.035 and 88.16.090.) The Training Program is designed to enhance the skills of a trainee who has met the minimum thresholds required by the BPC standards of experience qualifications, and the written examination and simulator examination. During your Training

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Program, you will apply your existing local, technical, procedural shiphandling knowledge and skills to the act of piloting vessels in real time. It is not the purpose of your Training Program to teach basic shiphandling, technical and procedural knowledge, or other fundamentals of piloting. It is presumed that you have mastered many of the shiphandling and fundamental navigational skills and will apply them to improve your piloting skills, under supervision, with the intention of becoming a superior mariner and licensed pilot.

Section 1 of your Training Program consists of required Familiarization / Observation requirements, as described in the attached Exhibit A - Training Program Requirements (TPR) and Exhibit B - Matrix.

Section 2 of your Training Program, see Exhibit A, is the Initial Route (WAC 363-116-078(5)) which involves a number of observation requirements to or from a commonly navigated port or terminal and the seaward boundary of the pilotage district. To complete the Initial Route section of your Training Program, you must have completed all requirements prescribed in Section 2 and possess or obtain a first class federal pilot endorsement without tonnage or other restrictions on your United States Coast Guard Master License (federal license) for your prescribed Initial Route. This endorsement must be obtained within the time period specified in WAC 363-116-078 (5)(b). Also, the requirements relative to conning quizzes and local knowledge examinations specified in WAC 363-116-078 (5)(b)(i)(ii) must be completed satisfactorily.

Section 3 of your Training Program, see Exhibits A & B, consists of a number of Observation, Training, and Evaluation requirements. These are assigned to all of the routes and ports of the Puget Sound District. Your performance on training and evaluation trips will be documented by the supervising pilots (pilots of record), in the areas of Preparation, Master/Pilot/Bridge Team Interface, Navigation, General Shiphandling, Anchoring, Tug Escort Procedures, and other Additional Considerations as they may arise. Interventions will be documented once you begin the Evaluation phase of your Training Program, but not prior to that time. Following any trip where an Intervention is recorded, the TEC will thoroughly review the comments of the evaluating pilot as written on the TPTR and discuss with you, and the pilot, if needed.

The performance indicators on each TPTR will be considered in conjunction with those on all of your reports to assist in identifying your areas of strengths and weaknesses. The determination of whether or not you have successfully completed your Training Program will ultimately be made by the BPC, based on an overall analysis of all information gathered and documented during your Training Program.

At any time during your Training Program, if you have any questions regarding the standards you are expected to meet and what you must do to meet them, please ask the TEC for clarification.

Pilot Trainee License

Upon signing this document agreeing to your Training Program, the Board will issue a Pilot Trainee License to you. This license authorizes you to act as a pilot trainee in accordance with your Training Program onboard foreign vessels and U.S. vessels engaged on foreign voyages. The Pilot Trainee License does not authorize you to have the conn as a pilot trainee onboard U.S. coastwise vessels where a federal pilot license issued by the U.S. Coast Guard is required. You will need to complete the federal requirements and obtain a federal pilot endorsement for a particular route before engaging in pilot training on a U.S. coastwise vessel on that route. In the event pilots offer you the opportunity to conn the vessel and you do not have the proper federal

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pilot endorsement, you should inform them of this specific restriction on your Pilot Trainee License and decline the offer.

The official start date of your Training Program will be ~~October 1, 2019~~ ^{December 1, 2019}. The Pilot Trainee License only authorizes you to perform the requirements set forth in this document and will expire on the date shown on the license. The conditions whereby you may be removed from your Training Program prior to its expiration are detailed in WAC 363-116-078(14) and are summarized at the end of this document. Please familiarize yourself with these conditions and requirements.

Your Training Program will be administered under the supervision of the BPC-appointed members of the TEC. The TEC will monitor your progress by discussing your progress with supervising pilots, and with you, and by direct observation by TEC members on certain trips.

The TEC will keep the BPC informed as to your progress. Your Training Program requirements are detailed on the Training Program Requirements, Exhibit A, and on the corresponding Matrix, Exhibit B, both of which are attached. Please review this carefully as the specifics of your requirements, as well as your duties and responsibilities of your Training Program are outlined in detail. Please contact a pilot member of the TEC immediately if you have any questions or require clarification of any information provided to you.

Federal Pilotage

Before being issued a Washington State Pilot License for the Puget Sound Pilotage District, you must complete all the required federal observation trips and examinations required by the U.S. Coast Guard for this district and have an endorsement on your U.S. Coast Guard Master License for "First Class Pilot on Vessels of Any Gross Tons Upon Puget Sound and All Connecting Inland Waters, Including the Waters of Haro Strait, Boundary Pass and Strait of Georgia", pursuant to WAC 363-116-080 (3).

The U.S. Coast Guard administers the federal examinations and determines the number of observation trips required on each route. They are the final authority for the federal pilot program. Refer to the enclosed U.S. Coast Guard document for the current requirements. The U.S. Coast Guard may, from time to time, change or modify the requirements for the federal pilot endorsement for the Puget Sound Pilotage District. It is your responsibility to monitor and comply with any changes to federal endorsement requirements.

Federal pilot observation trips obtained on routes within Puget Sound prior to entering your Training Program may count towards the required number of federal trips for the federal endorsement, but will not affect the number of requirements in your Training Program. Federal pilot trips accumulated on routes identified within your Training Program should, to the extent possible, be obtained on trips with a licensed Puget Sound Pilot.

Your Training Program is designed to provide you with the opportunity to acquire many of the trips required for obtaining the federal pilot endorsement on routes within Puget Sound normally serviced by state-licensed pilots. However, observation trips required for the federal pilot endorsement shall be your responsibility if they are not specifically assigned in your Training Program Requirements.

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Trips on routes not identified in your Training Program Requirements and routes not normally serviced by state licensed pilots that are required for the federal pilot endorsement, are also your responsibility.

Licensed Pilot Supervision (Pilot of Record)

Observation requirements may be met with trips taken with any licensed pilot. Training and Evaluation requirements must be completed with a pilot who has been licensed for over six months, AND who has undergone such specialized training as the BPC may require as specified in WAC 363-116-078(12). Please refer to the current BPC approved list which is included as an attachment.

At least 10% (not including tug observation trips) must be made with “TEC, designated TEC, or former TEC Pilots”, which includes any such trips with TEC pilots specified in the Initial Route segment of your Training Program. To the extent possible, this requirement is to be applied evenly throughout the program phases of observation, training, and evaluation.

OBSERVATION TRIPS

Observation requirements required by your Training Program are those where you observe the actions of a licensed pilot or vessel master in conning a vessel. You are expected to engage in active observation of the vessel being navigated, ask questions, and receive local and piloting knowledge as conditions permit.

You will be provided with a “One Minute Paper”. It has been developed for you to note your own observations or comments during the Observation phase. These will not be collected from you, but the same elements listed on the paper will be discussed when meeting with the TEC.

The purpose of a conning quiz is to assess your knowledge of fundamental navigation (basic passage planning) needed to conn a vessel under close supervision of a licensed pilot. Information about the process of taking the conning quizzes is available from the BPC staff. See the *Policy Statement-Development of Conning Quizzes under WAC 363-116-078(4)*.

A pilot may offer you the opportunity to take control of the vessel during an observation trip; this is permitted only if you have completed the conning quiz and completed at least 25% of the observation requirements for that particular route. Conning the vessel under these circumstances is not considered a training trip. Any docking, undocking, or waterway maneuvers are to be avoided until you complete the requirements in the following paragraph.

After you have completed at least 54 of the observation requirements you **may** begin to complete training requirements, provided that you have completed all the observation requirements and conning quizzes for the specific dock or anchorage where you intend to train. The intent of this approach is to allow you to adapt the training program to your personal learning style. There may be some benefit for you by completing some training trips followed by further observation trips. You may decide to complete all, or some other amount of observation trips more than 54, before beginning any training trips, based on your own assessment of your learning style and comfort level.

TRAINING TRIPS

The Training requirements required by your Training Program provide you the opportunity to conn a piloted vessel with a pilot who has more than 6 months piloting experience and has completed any required specialized training. To the extent the pilot determines it is appropriate,

you will be given opportunities to pilot vessels between ports, make approaches to or from waterways or docks, and dock or undock vessels with the oversight of the pilot.

The opportunities for developing your skills during Training trips will include interactive involvement with the pilot, the opportunity to receive coaching and advice, as well as opportunities to observe the pilot demonstrate specific piloting techniques and practices. The pilot is available to provide coaching, guidance, direction, demonstration, commentary and information relative to local knowledge, piloting practices and shiphandling skills. Please note that your performance on these Training trips will be assessed by the supervising pilot and recorded on the Training Program Trip Report (TPTR) forms.

In addition to the required training requirements, there are six (6) optional observation opportunities available. These trips would be to any area of your choice. There are also sixteen (16) mandatory Training trips to areas of your choice; two of these must be made with a TEC pilot. These must not conflict with mandatory Training trips of other trainees. There are also sixteen (16) optional Training Trips that can be used at your discretion at any point throughout your training or evaluation phase to any area of your choice.

Priority for trips will be determined by Training Program ranking, except where specifically altered by the TEC. If you delay entry into your Training Program, the BPC has determined you have surrendered your right of first refusal as specified in WAC 363-116-078(10)(e) and this may alter your Training Program ranking with reference to trip priorities described above.

EVALUATION TRIPS

All available Observation and Training requirements must be completed and verified by the TEC before being authorized to begin Evaluation Trips. The Evaluation requirements are considered the final exam. These are to be uncoached assessments of your piloting competence, local knowledge, and shiphandling skills. These Evaluation requirements provide you opportunities to demonstrate your ability to pilot independently, safely, and consistently, without coaching or other input from the supervising pilot. There are three (3) mandatory observation trips of your choice to be taken during this phase.

When completing these Evaluation requirements, you are expected to perform as if you were working independently of supervision and do the necessary pre-voyage planning, interact with the ship's captain and crew, pilot the vessel between ports, make approaches to or from waterways or docks, dock or undock, and perform all of the other expected duties of a state licensed pilot. The pilot will not normally provide any input or assistance to you unless an Intervention is necessary. Should this occur, an Intervention will be recorded on the TPTR. Again, an "Intervention" may only be recorded as such on a TPTR during the Evaluation phase of the Training Program. Upon the fourth (4th) Intervention during the Evaluation Phase, the pilot trainee is removed from the program. The BPC reserves the right to remove a trainee from the training program prior to a fourth Intervention if the BPC, in its discretion, determines that the trainee's performance is so dangerous that continuing in the training program presents a significant risk of harm to person, property, and/or State resources, or for reasons outlined in RCW 88.16.090 as specified on pages 9 and 10 of this Agreement.

An "Intervention" is defined as: when a pilot has to interject (such as providing verbal advice or suggestions, or taking control of the vessel from the trainee) during a pilot trainee Evaluation Phase trip (i) in order to avoid, in the sole opinion of the pilot, an incident, including an actual or

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apparent collision, allision, or grounding, (ii) in order to avoid, in the sole opinion of the pilot, a navigational or marine safety occurrence **which may result** in actual or apparent personal injury or property damage or environmental damage as defined in WAC 363-116-200.

A pilot may take over the conn in extreme or extenuating circumstances and not consider it an Intervention under the following circumstances. If during the course of a transit, a situation arises during a sensitive part of the journey that jeopardizes the safety of the ship, i.e. an environmental circumstance or mechanical failure, and is through no fault of the trainee and is beyond the scope of a newly licensed pilot in the sole opinion of the licensed pilot, to prevent damage or injury, the pilot may assume the conn of the vessel without it being an Intervention. Such action must be verbalized to the trainee and the bridge team, and noted in the Comments Section of the TPTR.

Assessment of Pilot Trainee Performance on All Training and Evaluation Trips

Your progress in the program will be evaluated as compared to the expected performance of a newly licensed pilot. The BPC expects that you will ultimately perform at this level. A copy of the TPTR form is enclosed. Review this report form carefully and become familiar with the specifics of the elements being considered during all Training and Evaluation trips.

The TPTR form has many purposes. One of its primary purposes is to provide you with timely feedback regarding your performance on each trip taken to fulfill one or more requirements. As noted on the form itself, a primary purpose "is to assist in determining the piloting ability of a pilot trainee, and to identify areas of strength and weakness that may help the trainee succeed in the Training Program." If you are getting lower than 'Effective' indicators in any category, it is your responsibility to work with the TEC to find means of correcting whatever problems may be causing such assessments of your performance.

Although it is possible that early in your Training Program you may find your performance is less than 'Effective', it is expected that your performance will improve as you gain more knowledge and experience. You are encouraged to initiate discussions and debriefing with supervising pilots after every job. You will be exposed to different piloting perspectives since not all pilots carry out a particular piloting assignment in exactly the same way. You should consider all the guidance provided by the different pilots and establish a method that works for you. As your training progresses, your performance should improve as you develop your skills and knowledge of piloting required within the Puget Sound Pilotage District. You should know that the TEC members, Commissioners, and BPC staff are available to you. It is your responsibility to inform them of any issues or concerns you have about your Training Program. You are encouraged to request to attend a TEC meeting to discuss your progress. The TEC may request that you prepare a cumulative One Minute Paper to share when you are called into a TEC meeting to discuss your Training Program.

Documentation of Observation, Training and Evaluation Requirements

You are required to document to the BPC all Training Program requirements undertaken. The BPC will provide you with consecutively numbered TPTR forms to be used in the same order that you complete your trips. You will be required to account for all TPTR forms issued to you, including those not used in your Training Program. At the beginning of each trip you will give the licensed pilot a TPTR and a stamped envelope that is addressed to the BPC. You are to verbally inform the supervising pilot whether this trip is to fulfill an observation, training, or

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evaluation requirement and mark the corresponding box at the top of the TPTR prior to beginning the trip. The licensed pilot will complete the performance assessment portion of the form and the licensed pilot should then submit it directly to the BPC. BPC staff will enter the information from the trip reports onto a TPTR Summary spreadsheet which will be forwarded to you and the TEC several times each month. You should use this feedback provided on your trip reports to identify your strengths and weaknesses, and actively seek opportunities to develop your skills especially in areas where you perceive the need for extra exposure.

Training Program Requirements and Matrix

The Training Program Requirements (Exhibit A) provided by the BPC details the Observation, Training, and Evaluation requirements for each specific route/port that are prescribed by your Training Program, as well as particulars on how those trips are to be accomplished. You will be provided an electronic Requirements Matrix of your Training Program requirements, printed as Exhibit B. You will use this matrix to record the dates and the trip report numbers of your observation, training, and evaluation trips as you complete your requirements. As stated earlier, a single trip may satisfy more than one requirement in your Training Program. You are required to keep the matrix updated and e-mail it to the BPC office on the 15th of the month, and at the end of each calendar month, or upon request. Record all observation, training, and evaluation trips, including any exceeding the required assigned in each specific area.

The second tab on the Requirements Matrix is for you to document your progress on completing pilotage endorsements on your USCG Merchant Mariners License. You are required to have this up-to-date with each submission of the matrix.

You should also not miss opportunities for experience on trips to or from ports, terminals or berths, or anchorages with limited activity. For example, there are no requirements to or from a Seattle dry-dock, or to or from Bremerton. These transits happen infrequently and should one occur during your Training Program, you are urged to take advantage of it.

If the number of vessels calling at a port, terminal or berth, or anchorage normally serviced by state licensed pilots is not adequate to meet the requirements of your Training Program, notify the TEC in writing as soon as this becomes apparent. The TEC may develop alternatives where possible to assist you in satisfying the requirements of your Training Program.

"Hard-to-Get" Training Program Trips

The TEC will define areas that are considered to be "Hard-to-Get" in accordance with the provisions of WAC 363-116-078(10)(d) and (e)(ii). The designation of a "Hard-to-Get" port is determined by the TEC and may differ for trainees who enter the Training Program at different times. Your specified "Hard-to-Get" port(s) may change during the course of your Training Program depending upon the number of vessels calling at Puget Sound ports.

For purposes of your Training Program, (at this time), requirements to Bellingham and Port Townsend have been designated as "Hard-to-Get" trips. If you are taking the stipend, you are required to make **every trip prescribed by the TEC** that occurs to and from these ports during the time you are receiving the stipend. This means that you **may** complete more requirements to or from these ports than are specified in your Training Program Requirements. Should the opportunity to train and/or evaluate not present itself in a "Hard-to-Get" port, substitutions to or from docks of similar difficulty will be assigned by the TEC. In the event you miss a "Hard-to-

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Get" trip without prior notification to and approval from the TEC, and you are taking the stipend, the BPC has the right to reduce or eliminate your stipend payment for the month should such a trip be missed.

Adequate Rest Periods

Your Training Program requires you to adhere to the rest rules that are currently established by the BPC; see the *Policy Statement- Fatigue Management*, attached. Information about the rest rules of the Puget Sound Pilots is available from any pilot TEC member.

In the past, the TEC has noted that trainees have demonstrated degraded performance because of fatigue. You are cautioned that transits made when you are fatigued may negatively affect your success in your Training Program. It is your responsibility to pace yourself and to manage your trips and your rest periods to optimize your training experience.

Stipend

Starting on the first day of your Training Program you may elect to receive a stipend not to exceed \$6,000 which is based on the number of transits taken in a calendar month. As a condition for receiving this stipend, you agree to forego other full- or part- time employment as referenced in WAC 363-116-078(10)(a). Be aware that as a trainee, you are not an employee of the State. There are no taxes of any kind withheld from stipend payments, and no taxes or benefits are paid on your behalf.

Only observation, training, and evaluation requirements specified in your Training Program qualify for the stipend. While it is possible to satisfy one or more requirements detailed on your matrix during one transit, in no event shall a single transit be counted as more than one trip for stipend purposes. A trainee is entitled to a stipend in the amount of \$6,000 per calendar month for completing 18 trips that fulfill one or more Observation, Training, or Evaluation requirements of his/her Training Program. In the event a pilot trainee does not or is unable to complete the 18 transits during a calendar month, a prorated stipend will be paid so long as the trainee completes a minimum of 12 trips in a calendar month. The prorated stipend will begin at \$4,000 for 12 trips and an additional \$333.34 will be awarded per trip in excess of 12, up to a maximum of \$6,000 for completing all 18 trips. **If a trainee is unable to complete at least 12 required trips in a calendar month, a stipend will not be earned or paid. In no event shall a trainee receive more than \$6,000 in stipends for any calendar month.**

Every effort must be made to satisfy any prescribed Hard-to-Get requirements each month. If a trainee foresees difficulty in fulfilling these requisite trips, a waiver must be obtained from the TEC.

Observation trips for the federal pilot endorsement on routes not normally serviced by state-licensed pilots will not count toward the stipend. Information on receiving the stipend is found in WAC 363-116-078(10).

Voluntary observation trips are encouraged, especially in areas where you may be experiencing difficulties, but these voluntary trips do not count toward the trip requirements of the stipend unless approved by the TEC. Study and testing days for the conning quizzes, local knowledge examinations, or federal pilot endorsements also do not count toward the requirements as a stipend trip. However, an optional USCG VTS Center Tour will count as a stipend trip (contact VTS to arrange). Forms and instructions will be provided to you.

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Do note that with TEC approval, it is possible to move from stipend to non-stipend status and vice versa. Non-stipend status requires **written notification prior** to your intent to take an absence from pilot training. During this time you are considered unavailable for any and all training trips for the time period requested, and no stipend credit will be awarded for a trip taken during that period. Non-stipend status waives the Hard-to-Get requirement during that time period. Specifics relative to this topic can be found in WAC 363-116-010(10).

PORTABLE PILOTING UNIT (PPU) TRAINING

PPU training will consist of attending a combined classroom and simulator training session offered by an educational facility with experience instructing pilots in the use of the PPU and related equipment currently in use in the pilotage district for which you are being trained. A certificate of successful completion from the training facility will be required to prove successful completion of the classroom/simulator PPU training. You will be required to pay for the PPU training and then submit receipt(s) for reimbursement to the BPC. The cost will vary based upon how many trainees complete PPU training at the same time.

Upon completion of the classroom/simulator training, you shall take a minimum of two trips, Zone II or greater, in an observation pilot role using the required PPU with training pilots selected by the TEC. You may request up to two additional trips, if desired, before completing the PPU shipboard observation requirement. A PPU Training Trip Report submitted to the Board by the training pilot will be used to record your trips. These observation trips should be taken after completion of all training program evaluation trips. These PPU observation trips are for your benefit and are not part of the evaluation process.

Completion of your Training Program

At the completion of your Training Program, the TEC will report to the BPC that you have successfully completed the requirements set forth in the Training Program. The BPC will then determine your readiness for licensure as a Washington state-licensed pilot in accordance with the provisions of WAC 363-116-080(5).

The issuance of your license may be delayed pending the need for an additional pilot in the district. The language of WAC 363-116-080(5) gives the BPC the authority to "delay" issuing a license in the event there are no additional pilots needed in the district at the time you complete your Training Program. Pursuant to the requirements of WAC 363-116-065, the BPC is required to set the number of pilots from time to time. By entering into this Training Agreement, you acknowledge that the BPC has discretion to determine when to set the number of pilots and what the number of pilots shall be. You should know that your licensure may be delayed in the event the BPC reduces the number of pilots, causing there to be no additional pilots needed in your district at the time you complete your training program.

Removal from your Training Program

You may be removed from your Training Program by the BPC if it finds any of the following:

- (a) Failure to maintain the minimum federal license required by RCW 88.16.090;
- (b) Conviction of an offense involving drugs or the personal consumption of alcohol;
- (c) Failure to devote full time to training in the Puget Sound Pilotage District if receiving a stipend;
- (d) The pilot trainee is not physically fit to pilot;

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- (e) Failure to make satisfactory progress toward timely completion of the program or timely meeting of interim performance requirements in your Training Program;
- (f) Inadequate performance on examinations or other actions required by your Training Program;
- (g) Failure to complete the initial route requirements specified in WAC 363-116-078(5) within the time periods specified;
- (h) Inadequate, unsafe, or inconsistent performance in your Training Program and/or on training trips as determined by the supervising pilots, the Trainee Evaluation Committee (TEC) and/or the BPC; or upon the fourth intervention in the evaluation phase.
- (i) Violation of a Training Program requirement, law, regulation, or directive of the BPC.

DISPUTE RESOLUTION

The parties to this Agreement agree that it is in the best interest of all parties to resolve disputes at the earliest opportunity and at the lowest level. The parties shall attempt to resolve any dispute concerning the meaning of, application of, or compliance with this Agreement in an informal manner. In the event they are not able to do so, this section provides a formal process for dispute resolution.

A. Grievance Process

A Trainee who wishes to (i) challenge any Board of Pilotage Commissioners (BPC) or Trainee Evaluation Committee (TEC) decision concerning the trainee's training program, or termination thereof, resulting from an alleged breach of the terms of this Agreement, or (ii) allege any other violation, misapplication, or misinterpretation of this Agreement, must file a written grievance. The grievance must be presented to the Executive Director or his or her designee within ten (10) calendar days of the decision or occurrence giving rise to the grievance or the first date the Trainee knew or could reasonably have known of the occurrence. This ten (10) day period will be used to attempt to informally resolve the dispute.

The grievance must include the following information:

1. A statement of the pertinent facts surrounding the nature of the grievance;
2. The date upon which the decision or incident occurred;
3. The specific article and section of this Agreement violated;
4. The steps taken to informally resolve the grievance and the individuals involved in the attempted resolution;
5. The specific remedy requested; and
6. The name and signature of the grievant.

If the Board provides the requested remedy or a mutually agreed-upon alternative, the grievance will be considered resolved and may not be moved to arbitration.

The Trainee may voluntarily withdraw a grievance at any time. The grievance will also automatically be withdrawn if the Trainee fails to comply with the timelines in this section. A grievance that has been terminated, resolved, or withdrawn may not be re-submitted. No newly alleged violations and/or remedies may be made after the initial written grievance is filed, except by written mutual agreement.

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Upon being presented with the Trainee's written grievance, the Executive Director or his or her designee will meet or confer by telephone with the Trainee within ten (10) calendar days of receipt of the grievance, and will respond in writing to the Trainee within ten (10) days after the meeting.

B. Arbitration

If the grievance is not resolved through this meeting, the Trainee may file a request for arbitration. The demand to arbitrate the dispute must be filed with BPC within ten (10) days of the receipt of the Executive Director's written grievance response. The parties will select an arbitrator by mutual agreement or by alternatively striking names supplied by BPC, and will follow the arbitration rules of BPC unless the parties agree otherwise in writing. The arbitration shall be held in King County unless mutually agreed otherwise.

The arbitrator's decision shall be final and binding upon the parties, except that the arbitrator shall:

- Have no authority to rule contrary to, add to, subtract from, or modify any of the provisions of this Agreement;
- Be limited in his or her decision to the issue(s) set forth in the original written grievance, unless the parties agree to modify it;
- Not make any award that exceeds the maximum possible amount that could be payable to a Trainee under the terms of this Agreement;
- Not have the authority to order the Board to certify a Trainee as a pilot.

The parties agree that the BPC shall pay for the costs of the arbitration process. However, if the arbitration hearing is postponed or canceled because of one party, that party will bear the cost of the postponement or cancellation. Each party is responsible for its own legal costs and all other costs related to the development and presentation of its case.

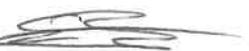
In the event a party fails to proceed with arbitration, unsuccessfully challenges the arbitrator's award, or fails to comply with the arbitrator's award, the other party is entitled to recover his/her costs of suit, including reasonable attorney's fees, to enforce the terms of this agreement, compel arbitration, or defend or enforce any award rendered hereunder.

Should you encounter any difficulties, have questions, or need clarification on any part of your Training Program, contact the pilot members of the TEC, or Jolene Hamel at 206-515-3904 or HamelJ@wsdot.wa.gov

Whether or not you agree to the terms of this agreement, you must respond, in writing, within fifteen (15) business days of receipt of this document.

This agreement shall be subject to the written approval of the Board of Pilotage Commissioners' authorized representative and shall not be binding until so approved. This agreement may be amended with mutual consent of both parties.

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I have read and agree to the terms of my Training Program Agreement consisting of these twelve (12) pages, Training Requirements Exhibit A (10 pages), Matrix Exhibit B, and enclosures. Furthermore, I understand the conditions under which I can be removed from this Training Program.

TRAINEE:

Eric T. MICHAEL
(Print Name)

 9/26/19
(Signature) (Date)

I accept the stipend  (Initials)

I decline the stipend _____ (Initials)

BOARD OF PILOTAGE COMMISSIONERS:

Sheri Jeanne Tonn
Sheri Jeanne Tonn, Chair

(Date)

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