

A REVIEW OF APPRENTICESHIP IN NEW YORK STATE

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Prepared for:

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Executive Summary

In the fall of 2007, the New York State Department of Labor (NYSDOL) published a Request for Information (RFI) for Consultant Services. Prior to the announcement of the RFI, former Governor Eliot Spitzer had announced a moratorium on new activities of the NYSDOL's Apprenticeship Training program and ordered a thorough review of all aspects of its operations. The RFI stated that this action was taken "in an effort to overhaul the state's apprenticeship training program, which has been diverted from its initial purpose."

Following the award, Coffey worked closely with NYSDOL staff to refine a list of deliverables and develop a timeline. Coffey's charge was to: 1) research other state models and note best practices, 2) analyze New York's current governance structure, 3) research the New York State model through interviews with key NYSDOL staff and key stakeholders, and 4) produce a report containing an analysis of findings and recommendations.

Coffey created data collection instruments which were reviewed and approved by NYSDOL. New York authorized the state survey process to begin in mid-December 2007, and the surveys of stakeholders to begin in February 2008. On-site interviews were held with Commissioner Patricia Smith, Executive Deputy Commissioner Mario J. Musolino, and other top-level leaders in the Labor Department on February 27, 2008. All interviews and data collection, in New York and other states, were completed by April 11, 2008.

Coffey was successful in completing comprehensive interviews with 8 of the 12 states originally identified by NYSDOL. In addition, interviews were completed with two

additional states identified by Coffey. All 74 of the stakeholders identified for inclusion in the survey were contacted and 60 interviews held (81%). In addition, 13 other individuals, mostly sponsors working with unions, participated in focus groups and some individual interviews as a result of invitations received from invited stakeholders.

While interviews with the states and key stakeholders comprised the largest portion of the effort, Coffey also examined New York State's apprenticeship regulations and other key governing and policy documents. This report provides a detailed account of our approach and findings and culminates with 14 recommendations for next steps and changes needed to assist New York in its efforts to revamp its apprenticeship training program.

In general, agreement exists among stakeholders that there are serious issues or problems in the State's apprenticeship system that demand attention. Most of the complaints centered around what is perceived as an insufficient number of Apprenticeship Training Representatives (ATRs) as well as the need to have the ATRs better trained. The theme of the need for consistency arose repeatedly. This applied to the need for more consistent direction and decisions from ATR to ATR and the need for consistency in the treatment of both union (Joint and Non-Joint Labor/Management) and non-union programs.

Most of the stakeholders expressed appreciation for having been included in the process and seemed pleased and supportive of the State's efforts to bring about change.

Among Coffey's recommendations for the immediate future are the hiring of an experienced Apprenticeship Director who shares the vision of the executive staff within

the NYSDOL, and the initiation of a process to develop a five-year strategic plan. Other recommendations address areas such as the need for better training of the ATRs, improved communication, and the development of an electronic data management system.

Coffey extends sincere thanks to: Commissioner Patricia Smith; Executive Deputy Commissioner Mario J. Musolino; Deputy Commissioner of Labor for Workforce Development, Bruce G. Herman; Director of the Workforce Development and Training Division, Karen A. Coleman; Deputy Director of the Workforce Development Division, Yue F. Yee; and the Director of the Division of Equal Opportunity Development, Omoye Cooper. The leadership and support they demonstrated made this effort possible. Additionally, their interest and enthusiasm were evident in their thoughtful and candid interviews. In particular, we are grateful for the professional assistance of Cathy Reardon from the Apprenticeship Training Program, who served as our primary contact and facilitated all planning efforts and communications.

Section I: Overview

In the fall of 2007, the New York State Department of Labor (NYSDOL) published a Request for Information (RFI) for Consultant Services. Prior to the announcement of the RFI, former Governor Eliot Spitzer had announced a moratorium on new activities of the NYSDOL's Apprenticeship Training program and ordered a thorough review of all aspects of its operations. The RFI stated that this action was taken "in an effort to overhaul the state's apprenticeship training program, which has been diverted from its initial purpose."

Because Apprenticeship is one of the areas in which Coffey Consulting, LLC (Coffey) has had extensive experience during the past ten years, the opportunity to assist New York in the effort to reinvigorate its apprenticeship program to meet the challenges of today's economy was especially inviting to the firm. Coffey submitted a bid through New York's competitive procurement process and was awarded the contract in November, 2007.

Following the award, Coffey worked closely with NYSDOL staff to refine a list of deliverables and develop a timeline. Coffey's charge was to: 1) research other state models, examining best practices, 2) analyze New York's current governance structure, 3) research the New York State model through interviews with key NYSDOL staff and key stakeholders, and 4) produce a report containing an analysis of findings and recommendations.

NYSDOL informed Coffey that concurrent with Coffey's efforts, the State was undertaking an internal process mapping project which involved interviews with the apprenticeship staff and a review of policies, practices, and procedures. Coffey's work

was conducted independently of the work being carried out internally. At no point did Coffey see a report or was privy to any of the findings.

Details of the steps taken by Coffey at each stage of the process leading to the development of this report are outlined in the sections that follow. At the outset, a work plan was refined based on feedback from NYSDOL. Because many individuals and organizations (stakeholders) had to be interviewed to obtain their perspectives and input, much of the initial focus centered around developing a comprehensive survey to collect needed information. After creating the data collection instrument, and its review and approval by the NYSDOL, Coffey was authorized to begin the survey process in mid-December 2007.

Surveys with key NYSDOL management staff began in February 2008 when Coffey was given clearance to proceed. On-site interviews were held with Commissioner Patricia Smith, Executive Deputy Commissioner Mario J. Musolino, and other top-level leaders in the Labor Department on February 27, 2008. All interviews and data collection, in New York and other states, were completed by April 11, 2008.

From the start of the study, regular conference calls were held with NYSDOL. Beginning on January 29, 2008, and continuing through April 11, 2008, Coffey submitted weekly progress reports and initiated weekly conference calls to discuss study progress.

As stated, Sections II through VI, along with Appendices A through F, summarize the research and analysis undertaken as well as the findings and recommendations that emerged from Coffey's work. Section II reports on the largest component of the effort: results of 60 interviews of 74 key apprenticeship stakeholders identified for contact,

including top-level NYSDOL staff and representation from union (Joint and Non-Joint Labor/Management) and non-union programs and sponsors, manufacturing, public education, and the U.S. Department of Labor (USDOL). Responses to surveys of the leaders of apprenticeship programs in states identified by NYSDOL are contained in Section III. Section IV addresses Coffey's analysis of the current governance structure of the NYSDOL, and Section V presents the analysis and recommendations from all components of the effort.

Valuable information is contained in the appendices. They include copies of: the letter sent from Commissioner Smith to the stakeholders describing the project and introducing Coffey; the instrument used for the survey of stakeholders; a detailed listing of all stakeholders contacted, including nature of contact (in-person or phone); and the comprehensive survey guide designed for collection of data from other states. Importantly, also included are copies of the USDOL Proposed Rule Change for Apprenticeship, and the USDOL Training and Employment Guidance Letter No. 2-07, with the latter discussing the relationship between apprenticeship and workforce development. Both of the documents are referenced in this report.

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interviews. In particular, we are grateful for the professional assistance of Cathy Reardon from the Apprenticeship Training Program, who served as our primary contact and facilitated all planning efforts and communications.

Section II: Stakeholders' Survey

A. Approach

Interviews with top-level NYSDOL staff and key stakeholders throughout the State were at the heart of New York's effort to analyze its Apprenticeship system. More time and effort were spent on this task than any other. The purpose of conducting the interviews was to develop an understanding of the status of the New York Apprenticeship System and to identify what seems to be working, what needs to be changed, and what improvements need to be made.

In total, NYSDOL identified 74 individuals to be contacted and invited to participate in the surveys. The individuals can be grouped into six categories: 1) Joint Labor/Management Construction, 2) Open Shop/Merit Shop Construction, 3) Manufacturing, 4) Apprenticeship Council members, 5) Other (Business/Education/USDOL), and 6) New York State Department of Labor Management. The table below provides a breakout of the distribution of the interviews across these categories.

Table 1: Distribution of Interviews Across Categories

Joint Labor/ Management Construction	Open Shop/Merit Shop Construction	Manufacturing	Council Members	Other (Business/ Ed/ USDOL)	NY State Labor Mgmt.
54%	16%	12%	5%	5%	8%

Coffey was given the option of conducting the interviews individually or in groups, either in-person or over the phone. Typically, the best way to obtain candid and thoughtful input is to conduct in-person, one-on-one confidential interviews. Because of the number of interviews to be undertaken, this was not possible within the budget and scope of Coffey's contract. Coffey examined the lists of individuals, noting their job

titles, roles, and geographic locations. There were concentrations in and around Albany and New York City. There was another sizeable group in various locations in Western New York, and there were a couple of stakeholders outside of the State. Travel and time constraints dictated the approach taken. All interviews with NYSDOL management staff were conducted in-person in Albany. During the same visit, Coffey conducted two focus groups in Albany; one of the focus groups was for interviewees in the Joint Labor/Management Construction group and the other was for interviewees in the Open Shop/Merit Shop Construction group. Coffey conducted another focus group for interviewees in the Joint Labor/Management Construction group in New York City. All other interviews were conducted individually, either in-person or via the telephone.

At Coffey's suggestion, the NYSDOL sent an advance letter to all of the individuals identified to be interviewed (see Appendix A). The letter explained the purpose of the interviews and introduced the Coffey staff who would be contacting them. By identifying a large number of individuals to be interviewed, NYSDOL communicated to its stakeholders that it was serious about making substantive changes in its Apprenticeship System and that it valued their perspectives. Many of the stakeholders interviewed expressed their gratitude for having been included on the interview list. Besides being pleased to have been contacted, they were very interested in providing their assessment. Because stakeholders were asked for their input, they will likely be supportive of changes that may be made as a result of New York's review of its Apprenticeship System.

Realizing that not everyone on the interviewee list would want to participate, Coffey decided, in consultation with NYSDOL, to limit the number of attempts at making

contact with individuals to no more than two unreturned voicemail messages. The following table summarizes our 81% success rate in obtaining interviews with the individuals identified on the NYSDOL list, or with their designees:

Table 2: Response Rate for Stakeholders' Interviews

Number Interviews Attempted	Number Surveys Completed	No Response (2 or more messages)	Response Success Rate
74	60	14	81%

In addition to the 74 individuals identified by the NYSDOL, Coffey interviewed additional stakeholders. These were individuals who were identified by stakeholders contacted from the list as people who were especially knowledgeable about apprenticeship. A list of all of the interviewees Coffey attempted to contact and the outcome of the attempts is provided in Appendix B. This table also identifies whether the interviews took place in-person, over the phone, as an individual, or as part of a focus group.

Coffey developed a survey instrument to facilitate conversational interviews that captured information on more than 30 different aspects of apprenticeship (see Appendix C). Most of these were organized around the following five major topic areas: 1) Structure, Administration, and Funding; 2) Recruitment and Marketing; 3) Training and Related Instruction; 4) Relationships and Partnerships; and 5) Performance. Interviewees were asked to provide their “assessment” of the New York State Apprenticeship System for each of the items. The items were used as prompts to elicit opinions from the interviewees. As expected, interviewees responded only to the items about which they were knowledgeable or held various opinions.

Surveys with key NYSDOL management staff were not initiated until February 2008 when Coffey was given clearance to proceed. Coffey began the survey process in Albany with on-site interviews of Commissioner Patricia Smith and the following top-level leaders in the Department: Executive Deputy Commissioner Mario J. Musolino; Deputy Commissioner of Labor for Workforce Development, Bruce Herman; Director – Workforce Development and Training, Karen A. Coleman; Deputy Director – Workforce Development and Training, Yue F. Yee; and Director, Division of Equal Opportunity Development, Omoye Cooper.

All interviews and data collection were completed by April 11, 2008. Following is a narrative summary of the responses to each of the items. Items on which there was considerable agreement or disagreement among the groups is noted in the text.

B. Stakeholders' Assessment of the Current Status of Apprenticeship in New York State

The first question on the survey was designed to elicit a succinct “gut-level” assessment of the New York’s Apprenticeship Training system. Coffey began by asking each interviewee to characterize in a few sentences their perspective on the current status of the system. Some responded initially with a few words, or a phrase or two. In general, there was agreement across all groups that there are serious problems in the system that demand attention. Words like “disarray,” “chaotic,” “archaic,” “broken,” and “dysfunctional” were frequently the first used to describe the current status.

One of the specific problems cited across groups is the lack of leadership in the central office (the Director’s position was vacant at the time). Another major theme communicated was that there is a lack of funds, and specifically, too few ATRs

(Apprenticeship Training Representatives). Management staff within the NYSDOL differed with each other as to whether the problem was the inadequate number of staff, or whether staff needed to be better trained. Interviewees across most groups expressed the opinion that staff needed to be better trained, needed to communicate more effectively, monitor more effectively and, importantly, needed to be more consistent in their application and enforcement of policies, practices and procedures. The theme of the need for consistency arose repeatedly. This applied both to the need for more consistent direction and decisions from ATR to ATR, and the need to be consistent in the treatment of both union and non-union programs.

Both union and non-union interviewees agreed that current work processes are outdated, that the system is too bureaucratic, and that the paperwork is too demanding. Non-union interviewees expressed the opinion that the moratorium has been tough on the non-union sector because they cannot bid on projects without apprenticeship programs, but cannot start new programs. Some union interviewees complained about the poor quality and low level of training some apprentices receive. Other interviewees were of the opinion that, prior to the moratorium, poor programs were approved with little or no training. It was also mentioned that the union programs seemed to receive more monitoring than the smaller programs which are in greater need of monitoring, but require more effort.

Additional comments made by some stakeholders in the “Other” category included such things as: apprenticeship is not easily accessible to individuals; is too long in duration (current model), lacks flexibility, does not reflect the needs of the workplace; is not on the “radar screen” of workforce development, and; its training

should include community colleges and those outside of the current registered apprenticeship process. The need to expand apprenticeship to other industries was also mentioned by individuals in several of the groups.

C. Perceived Strengths of the System

Across the board, stakeholders viewed apprenticeship in general as a great training model, with well-run programs training apprentices for a life-long career. They identified apprenticeship's relative cost, its on-the-job training, classroom training, and its safety components as strengths. There was agreement that the regulations are good, but they need to be revisited, and importantly, need to be followed. Tracking of the apprentice's accomplishments using either a Blue Book or similar method was also viewed positively.

Stakeholders who were serviced by knowledgeable, skilled and committed ATRs perceived the system to be working well. Sponsors depend on ATRs for advice, timeliness of registration and certificates, and consistency of regulation, interpretation, and enforcement. These stakeholders expressed the opinion that New York has a good, viable system with good oversight.

Several stakeholders expressed interest in a return to having State Apprenticeship Conferences on a periodic basis. They miss the training, networking, and exchange of ideas, which they considered very beneficial.

State management viewed the staff presence across the state as good. They considered staff to be knowledgeable of the needs of apprenticeship stakeholders.

D. Changes Needed to New York's Apprenticeship System

Stakeholders from all groups identified the need for change in a range of areas, including the State Apprenticeship Council, state staff, funding, quality of training, improved communication and relationships, and online capabilities, among other things.

Interviewees from the State Apprenticeship Council expressed interest in having a director with strong leadership qualities who cares about the apprentices, the staff, and the legacy of apprenticeships.

Both union and non-union stakeholders want to see vacancies filled on the State Apprenticeship Council. While non-union stakeholders would like some representation on the Council, both would like to see the Council meet regularly and have some level of authority and power. The Council itself would like some authority in reviewing programs prior to registration.

With regard to state staffing, most stakeholders agreed that increasing the number of staff is essential. They would like to see staff that are professional and well trained and who provide consistent support, monitoring, rule enforcement and guidance to the sponsors. Additionally, the stakeholders would like ATRs to be responsive to all programs, both large and small, and not let personal agendas or political views influence their performance. Further, they want staff to be timely in their handling of the registration processes and completion certificates, and not lose paperwork. In general, they would like to see state staff held more accountable for their performance.

The non-union stakeholders interviewed would like more sponsor training. They expressed a desire for the state to explain things clearly and consistently. A more user-friendly system that is clear about the obligations of a sponsor, and an easier program

registration process are desired by all. Also suggested by the interviewees was universal testing of apprentices. Union and non-union stakeholders would like help with the financial burden of related instruction. Suggestions included securing funds from Workforce Development and obtaining more Apprenticeship-Related Supplemental Instruction Program (ARSIP) monies.

Union, non-union, state, and manufacturing stakeholders all requested that the state have online registration and information management capabilities. Accessing and filling out forms online, maintaining records online, and having sources of information on the Web were seen as beneficial to all.

Many stakeholders expressed the view that they do not want any compromise in the quality of training and think it is important that new and existing programs need to be reviewed for compliance. The view was expressed that apprentices need to learn the whole trade – not just the part of the trade convenient to the contractor.

Union stakeholders would like some flexibility in training requirements, portability of apprentice between contractors for teaching purposes, and credit to the apprentice for proof of competency. Non-union stakeholders want training updated to include CAD, computer technologies, and cross-training. Other stakeholders would like to see apprenticeship linked to other credentials such as an associate's degree, have a more open enrollment into programs, and utilize more distance learning. Several stakeholders would like curricula reviewed to better meet industry needs.

In general, union stakeholders want regulations and standards updated and clarified. They also want all programs treated equally – union and non-union. Other improvements might include a reduction in paperwork, simplifying tasks such as

deregistration, focusing on retention and completion rates as indicators of a good program, and using the best programs as models for other programs to follow.

State management interviewees expressed interest in having better relationships with high schools and involvement with Workforce Development and Economic Development. They would like improvement in the mechanics of the process, consistency in the rules statewide, and timely processing of forms.

Interviewees from unions, the State Apprenticeship Council and manufacturing all expressed interest in reinstating the State Apprenticeship Conference, which could include a range of meaningful topics to the benefit of all stakeholders.

1. Structure and Administration

1.a. Structure

Union stakeholders expressed an interest in ensuring that all programs are quality programs and are accountable for the structure of On-the-Job Training (OJT). Non-union stakeholders would like to see a structured program for each trade. Union, non-union and manufacturing stakeholders expressed a desire for funding for related instruction, someone to offer related training specific to a trade and/or improvement in the overall quality of related training.

Non-union stakeholders would like to be able to get new programs approved more quickly, while union stakeholders would like to see the apprentice registration process streamlined.

Stakeholders again stressed New York State's lack of consistency as a problem. Strong leadership and additional staff who are responsive, consistent, knowledgeable,

and accountable would be seen as reflecting the state's commitment to the needs of apprentices and sponsors.

1.b. Regulations

Union, non-union stakeholders and the State Apprenticeship Council all expressed a strong interest in having current regulations enforced uniformly, consistently, and in an unbiased manner for all sponsors. Many stakeholders agreed that all regulations, rules, policies and procedures need to be clarified, streamlined, updated, and made transparent and consistent. Additionally, interviewees expressed the need to have ATRs thoroughly trained on the regulations to ensure consistent interpretation and application.

1.c. Staffing Patterns

As captured in the highlights related to the changes needed in apprenticeship in Section II. D. above, stakeholders from all groups expressed the need for more staff, and better trained and more committed staff that provide consistent, responsive service to sponsors.

1.d. Communication

Union and non-union stakeholders, the State Apprenticeship Council, and Management staff all view communication as a major problem to be addressed. In fact, a common comment regarding communication was something to the effect that "there is none." Union and non-union stakeholders want to see improved communication between ATRs and sponsors and between the ATRs and central office. There is agreement that sponsors should be able to get accurate, consistent, and timely answers and explanations to questions and concerns from someone who is

accountable. One suggestion made was that online communication should be instituted to ensure that everyone gets the same message.

There appears to be agreement that the State Apprenticeship Council needs to meet, fill empty seats, and be given responsibility and authority so their recommendations mean something. Non-union stakeholders would like some representation on the Council.

State staff expressed the need for improved communication among themselves, between the Division of Equal Opportunity Development (DEOD) and the ATRs, and among their office and Veterans Employment and Training Services (VETS), Workforce Development, and the State Education Department (SED).

1.e. Management and Oversight

All groups of stakeholders expressed the desire to have the Director position filled with a person knowledgeable about apprenticeship. As both union and non-union stakeholders replied, "There needs to be management to have management." Union stakeholders want to see accurate printouts from ATRs, consistency in performances, and accountability for paperwork once in state hands. Non-union stakeholders want speedier approval of programs and respect from state staff. The State Apprenticeship Council interviewees voiced the desire to have more input about issues before approval from the Director and suggested that apprenticeship monies be taken from SED and given to NYSDOL.

1.f. Training

Most stakeholders stressed the need for training for ATRs and sponsors. Regional forums and the State Apprenticeship Conference were mentioned as helpful

vehicles for providing training. Also, interviewees noted that ATRs need to be trained to be consistent with respect to policies and procedures.

For apprentice training, some sponsors like related training all at one time per year and/or related training that is flexible and appropriate. Vendor education was also suggested for inclusion in the curriculum.

1.g. State Monitoring

For programs where the sponsors have knowledgeable and consistent ATRs, there were few complaints from interviewees. Many stakeholders, however, complained about a lack of sufficient, consistent, uniform, knowledgeable, helpful, trained, efficient and motivated state staff. Some sponsors complained that their ATR is overwhelmed, not doing their job or treating smaller programs differently than larger ones. Again the theme of the need for consistency was evident.

1.h. Registration Process

Both union stakeholders and the State Apprenticeship Council identified a need for greater scrutiny for new programs and noted that the same quality should be demanded of everyone. There is agreement that poor quality programs that exist solely to allow bidding on public jobs should be deregistered. Non-union stakeholders expressed interest in having the moratorium lifted.

Regarding the actual registration process, a broad range of stakeholders expressed the opinion that the system needs to be streamlined, simplified with less paperwork, and completed accurately in a timely manner. Complaints were expressed that paperwork is often “lost in the system” and that it takes an inordinately long time to

get programs registered. Interviewees made the points that the registration process should be fair, consistent and strict.

1.i. Policies, Practices, & Procedures

Both union and manufacturing stakeholders expressed the desire to have the enforcement of current regulations “tightened up,” and they would like enforcement to be more strict and consistent. There is support for requiring bidders for public work to have training programs and apprentices.

Union and non-union stakeholders and the State Apprenticeship Council interviewees were in agreement that policies, practices and procedures should be reviewed and revised where needed, and that they should be clear, easily understood, and standardized to ensure equitable treatment for all.

Suggestions included publishing the requirements to make them more readily obtainable by sponsors. One idea suggested was to post them on a website that is more user-friendly and current than the existing state website.

1.j. Materials and Forms (Electronic Processing)

Overwhelmingly, stakeholders across the board expressed preference for online capabilities for obtaining and processing forms and registering apprentices. All think this would prevent loss of forms, provide better tracking of paperwork and speed the overall process. There is some concern over security regarding such things as signatures and social security numbers that would have to be addressed.

Some stakeholders would like ATRs trained in the use of E-tools and would also consider E-tools for competency-based and distance learning.

1.k. Reports

Complaints about reports were voiced by sponsors (employer representatives) in union and non-union programs and from USDOL. Sponsors specifically referenced inaccurate printouts, lack of consistency with different rules for different programs, and a lack of accountability.

The USDOL interviewee expressed interest in seeing electronic reporting as well as inclusion of requested detail. Lack of detail is seen as limiting the benefits of the reports. Inaccuracies in reports and a lack of accountability on the part of NYSDOL were also identified as problems.

1.l. Funding

Stakeholders from all groups identified the need for adequate funding of the apprenticeship division by the State to increase the number of ATRs and provide more training for them to better serve apprenticeship needs of industries. While they do not receive government funds, program sponsors expressed the point that increased funding for state apprenticeship staff will result in better service to the sponsors. Interestingly, comments were made by state management staff and State Council interviewees that not all of the funds currently available for apprenticeship have been spent. This is something that would need to be addressed before attempting to secure additional funds.

Several stakeholders agree that some kind of financial assistance or ARSIP funding to improve and update related training, and/or provide books and materials would be helpful.

1.m. Other

Comments regarding “Other Concerns” were few but include the need for fair treatment of all in the apprenticeship system, the need to fill Council seats, improve marketing and address competency-based training to improve training delivery methods. Union stakeholders would like work processes to have more latitude for change and for sponsors to be able to adjust to industry focus on specialization.

2. Recruitment/Marketing

2.a. Outreach

Most union, non-union and manufacturing respondents did not identify outreach as a big problem, although some sponsors expressed difficulty in attracting women and minorities. Some noted that they get too many applicants while another suggested that ratio problems limit recruitment. Job fairs, outreach to multiple organizations, NYSDOL Employment Security, Board of Cooperative Educational Services (BOCES), list jumping, and inside collective bargaining are all sources and methods currently used by stakeholders for recruitment purposes. Other stakeholders would like to have high school guidance counselors do more to promote apprenticeship.

Some state management staff suggested that better integration with Workforce Development would improve outreach efforts. One interviewee suggested the development of a tool to measure what sponsors do to attract women/minorities. State stakeholders expressed a need to be able to better verify what sponsors do.

One stakeholder commented that recruitment should not be limited to “insiders” only and that use of the DEOD may be worthwhile. Other suggestions included that SED

and NYSDOL together should develop school-to-work and pre-apprenticeship curricula, and better connections should be established with One-Stops.

2.b. Pre-Apprenticeship

Union stakeholders strongly expressed the need for a statewide pre-apprenticeship program. Some think the education system has failed in this regard. Some union sponsors participate in NYC pre-apprenticeship programs while others use BOCES, Project Hires, Project Pathways, Job Corps, Built on Pride, Careers in Construction and Phoenix House.

Non-union stakeholders would like pre-apprenticeship programs to help future recruits gain soft skills before entering an apprenticeship program. One stakeholder suggested using WIB funds for pre-apprenticeship.

Other comments included the need for more funding for pre-apprenticeship programs and the suggestion to make current services be more responsive to sponsors' needs.

2.c. School-to-Work

Many stakeholders across the board referred to BOCES in relationship to school-to-work. Union stakeholders also referenced current school-to-work programs such as job shadowing and programs sponsored by Vocational Industrial Clubs of America (VICA). Non-union sponsors have little or no involvement with school-to-work and noted that laws and insurance problems prevent more use of this vehicle.

Union stakeholders expressed the view that apprenticeship should be offered as an educational option for students and that schools need to be more involved. Some interviewees cited potential problems in Job Corps participants as an obstacle to using

Job Corps as a school-to-work program since many experienced barriers to employment before entering Job Corps.

2.d. Women & Minorities

Union stakeholders complained that they get too few applications from both minorities and women, and in some industries women just do not seem to apply at all due to lack of interest in an occupational area. Some take advantage of Job Corps and Helmets to Hardhats to achieve parity. Some union stakeholders, particularly those in New York City, reported good participation by both women and minorities.

Non-union stakeholders also reported having trouble recruiting women. Manufacturing stakeholders noted that they recruit both women and minorities from their pool if they apply. Some in manufacturing reported having less trouble recruiting women than minorities.

In general, many stakeholders report making an effort at recruitment but are not successful. Work readiness is considered an asset when recruiting women and minorities. State stakeholders would like to see more resources for organizations representing women and minorities supply recruits for apprenticeship programs.

2.e. Non-Traditional Apprenticeship Occupations

Many union and manufacturing stakeholders and members of the State Council expressed the view that apprenticeship is a good learning model for any trade, craft or occupation. Recommendations included that programs: should be a minimum of 2,000 hours, have OJT and related instruction as part of the curriculum, experiment with distance learning and simulated learning, and work with colleges using an articulation agreement.

3. Training-Related Instruction

3.a. Competency-based Training

Union and non-union stakeholders and State Council members agreed that, with regard to competency-based training, monitoring, parameters and proper testing are needed to determine skill level. Some sponsors, especially union stakeholders, expressed a preference for the time-based approach and having the apprentice go through the whole program. In some programs, sponsors evaluate apprentices in-house; some sponsors allow an apprentice to test out of a segment, and other sponsors evaluate OJT and elevate an apprentice if appropriate.

Both union and non-union stakeholders cautioned that the state needs to be clear on the rules and policies for competency-based training. National certification of competency-based training is also a possibility. There is a concern that with competency-based training, certain elements might be missed, thereby compromising related instruction.

Manufacturing stakeholders expressed the opinion that competency-based training is not appropriate for their needs but see testing it for evaluation purposes as an option.

3.b. National Sills Industry Standards

Some trades such as sheet metal workers, electricians and plumbers use national skill standards through their international unions.

3.c. E-learning/Distance Learning

Stakeholders across the board agreed that both e-learning and distance learning could be valuable as long as there is accountability and oversight, and that monitoring and assistance are provided as needed. There was a strong consensus that hands-on training and one-on-one relationships should not be sacrificed. Many consider e-learning and distance learning good for some aspects of training, such as make-up and advanced learning and for small programs. Some consider these methods of learning desirable for cutting costs so long as quality is not compromised. Some sponsors do not consider either appropriate for them.

4. Relationships/Partnerships

4.a. Relationship with Workforce Development

Many stakeholders stated that apprenticeship had no relationship with Workforce Development and expressed the opinion that the Workforce Investment Boards do not appear interested in apprenticeship. Some sponsors suggested that grant money from the Workforce Investment Act could be used for some aspects of training such as Health and Safety.

4.b. Relationship with Education System

Apprenticeship-Related Supplemental Instruction Program (ARSIP) monies are a concern for union and non-union stakeholders as well as members of the State Council, and they would like to see efforts taken to ensure that these funds are used in the most effective way possible. Many of these stakeholders would like to see SED more involved with apprenticeship. Some expressed that they would benefit from assistance from the SED for related instruction, classroom space, supplies and books, if SED were

interested. There is also the perception that education considers apprenticeship for the disenfranchised and stakeholders want that stigma removed. A suggestion was made that guidance counselors should encourage apprenticeship like they encourage college.

Many expressed the opinion that the NYSDOL should be responsible for apprenticeship and leave the SED out of it. They would like to see SED funds for apprenticeship spent on apprenticeship.

In some geographical areas, it was reported that apprenticeship has a good relationship with BOCES and some community colleges. In other areas, union and non-union stakeholders want BOCES to teach the basics, present opportunities to get into apprenticeship, and send students to programs for candidates.

Other issues with the education system included the need for standardizing programs with minimum curriculum, updating of curriculum, using funding for instructors, and reimbursing apprentices (or sponsors) for some education costs.

4.c. Relationship with Economic Development

Most stakeholders had no comment regarding the role or relationship with Economic Development. State management acknowledged that they need to determine what the relationship should be and then initiate contact with Economic Development.

5. Performance

5.a. Retention

Union, non-union and State Council stakeholders stressed that sponsors should not be penalized for early withdrawals from programs by apprentices who quit because they are not cut out for the job. Most apprentices who drop out do so in the first few

months. This makes the suggestion of having a probationary period a compelling idea. Another suggestion was drug testing to help identify candidates who don't qualify.

One sponsor noted that apprentices who enter programs with soft skills already have a higher retention rate. State stakeholders reported that once in the program, there is no real difference in retention between women/minorities and white males.

5.b. Graduation

It is clear from the surveys that union, non-union, and manufacturing stakeholders consider good completion rates important and claim to have good completion rates in their programs. A State Council interviewee noted that well-run programs have good completion rates and that the minimum completion rate should be 75%.

A suggestion from State management was that stricter program standards would make the completion certificate more meaningful.

5.c. Quality of Training

Union stakeholders stressed the importance of quality in training and want it monitored and enforced. They suggested that quality should be a factor in approving new programs and apprentices and poor quality programs should be eliminated.

Non-union stakeholders expressed the concern that politics should be kept out of the quality issue and noted they have sought out community colleges to improve their program quality.

Manufacturing interviewees reported that they keep up with industry standards and consider quality very important.

E. Steps to be Taken to Make Recommended Changes

This question was intended to elicit specific action steps that needed to be taken to implement the changes that had been recommended by the interviewees during the course of the interview.

Union respondents expressed the need for strict enforcement of current policies and regulations. Both union and non-union stakeholders agreed that programs should be examined but treated fairly, equally, and consistently, whether union or non-union and that non-performing programs should be deregistered. Stakeholders expressed broad-based support for standards that are specific, transparent and published.

Many stakeholders identified the need for more, well-trained, professional, consistent, knowledgeable staff and ATRs, and accountable leadership. Stakeholders would like staff to enforce the rules and be clear and consistent about what is expected from a sponsor.

Stakeholders expressed support for State Apprenticeship Council filling its vacancies with representation from both union and non-union sectors, meeting regularly, and providing input.

Union and non-union stakeholders and State Council members want funds for apprenticeship used for apprenticeship. They would like to see ARSIP monies used fairly and equitably for all sponsors, and they would like to see more funding, financial assistance and grant money for related training.

Stakeholders would like to see the state find new and creative ways of marketing apprenticeship, targeting high schools and employers. They would like to see funds used for marketing tools and promotional materials.

Union stakeholders would like more joint training meetings with sponsors, regional meetings and meetings and forums for more than just the building trades.

Several non-union stakeholders see the need for updated related instruction curricula, more available sources for related instruction, vendor training as part of related instruction and cross-training. Some other stakeholders would like college credits for some training, competency-based training, distance learning and more involvement by SED.

Many interviewees indicated that they would like to see politics put aside and bureaucracy reduced. There was also the sentiment voiced that potential sponsors who want to start an apprenticeship program should be assisted and treated with respect. Interviewees expressed interest in simplified processes and also want to see quicker and easier ways to resolve problems. Some suggested online access to information, apprenticeship records, and answers to questions.

State stakeholders want more integration with the workforce system and improved relationships with organized labor, the business community and sponsors.

F. Impediments That May Stand in the Way of Change

Union, non-union, and business stakeholders cited politics, including politicians, union vs. non-union differences, and DOL vs. SED issues, as impediments that could stand in the way of making the changes needed to New York's apprenticeship system. Additionally, government red tape, bureaucracy, and meddling from the state government were mentioned as possible impediments. Lack of available, knowledgeable, and consistent staff, lack of specific guidelines, enforcement and communication links, and lack of commitment by the state were also cited as problems.

Some stakeholders expressed the opinion that a balance between union and non-union program representation on the State Council is needed so as not to serve as an impediment.

Also mentioned as impediments were: the lack of flexibility to customize work processes, complicated processes and certificates, the perception that apprenticeship is only for building trades, and the current moratorium. State stakeholders complained of lack of staff, lack of leadership, tension between union and non-union sponsors, and lack of consistency.

F. Anything Else?

The last question on the survey simply asked if there were any topics that were not covered or any final comments or suggestions that the interviewee would like to make.

Union stakeholders expressed the opinion that the state should not approve any more programs until they straighten out existing problems. Non-union companies expressed concern over access to apprenticeship during the moratorium.

State management expressed the needs for consistency, clarification on EEO regulations, the removal of artificial barriers to women and minorities and the alignment between regulations and the ATR manual.

Some stakeholders asked if the results of this survey would be shared with them and suggested that the comments could be presented to the stakeholders in an aggregated format.

Section III: Survey of State Apprenticeship Agencies

A. Introduction

One of the requirements of the New York State Department of Labor (NYSDOL) was that Coffey contact a sample of at least 12 large and medium sized State Apprenticeship agencies to gather information about best practices in apprenticeship. NYSDOL required attempted contact with the states of California, Florida, Ohio, and Texas. Other states identified by NYSDOL included Illinois, Massachusetts, Michigan, New Jersey, Pennsylvania, Virginia, Washington, and Wisconsin.

Concerned that states would not be as responsive to providing information without a formal request, Coffey suggested that New York send a letter of introduction to the 12 states from which completed surveys were sought. Instead, Coffey was asked to send out a letter under its signature, which it did.

Coffey drafted a comprehensive survey that included all of the items New York was interested in collecting from the other states. The draft instrument was shared with NYSDOL, and it was refined and finalized based on input received. The process of contacting states started shortly before the holidays. Many individuals who needed to be contacted were out of the office until well into January 2008.

All of the states on New York's list were contacted by Coffey, but not all responded. Coffey was successful in obtaining interviews with 8 of the 12 states: California, Illinois, Massachusetts, New Jersey, Ohio, Pennsylvania, Texas, and Washington. The remaining four states, Florida, Michigan, Virginia and Wisconsin, either did not respond or told us that they did not wish to be included in the survey for various reasons.

In an effort to broaden the scope of participants, and because Coffey was aware of some innovative practices within the states, Connecticut, Indiana, Kansas, Maine, North Carolina, and Rhode Island were also contacted. Coffey was successful in obtaining interviews with Connecticut, Indiana and Maine. Rhode Island was unable to participate because its Director was about to retire and the state lacked knowledgeable staff to speak with us. Kansas and North Carolina did not respond.

Between February 4 and 6 when Coffey was conducting the surveys, the National Association of State and Territorial Apprenticeship Directors (NASTAD) was holding a conference of its membership. Coffey inquired about collecting information about innovative practices of their member states and was told that the group would discuss exemplary practices in various states and would share this information with us. Despite follow-up efforts, the requested information was not provided. Those states that have officers on the NASTAD organization did not respond to requests to participate in the survey.

Following contact with the states by phone, Coffey sent electronic copies of the survey with instructions stating that it wanted to review the survey over the phone with the apprenticeship director after the states had time to gather the information and consider their responses.

The responses received varied in the amount of detail provided, and some states found the volume of information requested to be excessive and chose not respond to a number of the questions.

Based on conversations with states that did not wish to participate in the survey, there are several reasons for their possible reluctance. For example, some expressed

the opinion that the survey required too much work to complete. Several states had never collected this much information about their programs and/or do not have easy access to the data. One state director stated that capturing the information for her own state's use is something that her boss would have wanted her to do (but she has not done).

Also, state apprenticeship directors often need high-level permission to provide such detailed information and may not have wanted to pursue the process of obtaining the approval. Additionally, some individuals responsible for completing the surveys were new to their positions and did not have the answers to many of the questions.

Although no one said this directly, it is possible that some states may have been reluctant to share information because of concern that their performance may have been less than impressive by their standards.

Finally, some states may not have seen any substantial benefits accruing to them for providing their information to another state. The survey was seen as exclusively for the benefit of New York. Additionally, some states may have realized that it would take a good deal of time to participate in the study without the promise of any reward; they could risk being open to criticism or embarrassment, depending on how their state compared with others in the survey.

Following are summary findings from the states that participated in the survey. Responses are organized by topics as they appeared on the survey.

B. Reporting Structure (SAC & BAT)

States that do not have an Apprenticeship agency within the state structure and in which Apprenticeship is under the Federal system using 29 CFR parts 29 and 30 as

the regulations for apprenticeship, are known as BAT (Bureau of Apprenticeship and Training – USDOL) States. Of the states mentioned above, Illinois, Indiana, Michigan, New Jersey, and Texas are all BAT States.

California, Connecticut, Florida, Maine, Massachusetts, Ohio, Pennsylvania, Virginia, Washington, and Wisconsin, are all commonly called State Apprenticeship Council (SAC) States where there is an active apprenticeship agency in the state and a State Apprenticeship Council. Those states oversee their own registration agency for apprenticeship. SAC States are structured differently and have either a regulatory or an advisory State Apprenticeship Council. New York State's Apprenticeship Council is an Advisory Council. In states where they exist, regulatory Apprenticeship Councils set policy and are the approval arm for programs and apprentices.

Traditionally, states with apprenticeship agencies have adopted the Federal regulations 29 CFR parts 29 and 30 with slight variations to meet their individual needs.

Federal (BAT) states have only Federal staff registering apprenticeship programs and may or may not have adjunct staff from Education assisting with the apprenticeship system in those states.

SAC States vary on the numbers of staff in the state and in prior history with USDOL. In the past, USDOL had a presence in every state regardless of whether the registration agency was operated by USDOL or the State Agency. As Federal staff ceiling decreased, it became necessary for USDOL to not fill Federal staff vacancies in SAC states so that these resources could be used in BAT states. Some SAC states had a large Federal presence but very few, if any, state staff. Those states were forced to hire their staff as Federal staff retired or left for other reasons.

Apprenticeship divisions in SAC States are traditionally placed in the Labor Department within state government. Some states have placed the apprenticeship division under Workforce Development, under the same division as licensing, and under the Commissioner as direct reports.

C. Program Information (including Electronic MIS, Competency-based Standards, National Skill Standards, Mandated Apprenticeship for Public Works Projects)

All Federal States use the Federal – RAPIDS (Registered Apprenticeship Partnership Information Data System) system for registration and tracking apprentices and programs. Difficulties were experienced with the Federal system which is in the process of being revamped. Some states in our survey, as noted below, use the Federal RAPIDS system while some have their own systems. These vary in sophistication and some contain only limited information.

California has developed an electronic system and has a staff of full-time programmers to maintain it. The demand for data entry is substantial. Last year alone, over 50,000 changes to the system were entered. California is moving toward having all programs directly submit information online. At this point, about 25% of their programs have this capability.

Only a few states in the survey recognize competency-based apprenticeship although some indicated that they would be considering it in the future. The concern is how it could be monitored and be consistent with all programs in a given trade. In states that recognize competency-based programs, they are limited to specific trades whose international governing body has provided direction.

Little mention was made of the use of National Skill Standards. Some states noted that trades such as sheet metal, electricians and plumbers use National Skill Standards through their international unions.

As shown in Table 3 below, few states in the sample require using Registered Apprenticeship (RA) to be eligible for public works projects. In some states, use of RA has been adopted by local areas but not by the states. In states that have adopted RA statewide, such as California, loopholes appear to exist that make the requirement difficult to enforce.

Table 3: Program Information by State

State	Electronic Apprenticeship Information System	Electronic Program Information	Electronic Registration	Mandated Apprenticeship for Public Work
California	Yes	Yes	Yes	Yes - loopholes
Connecticut	Access 2000	Access 2000	No	In select cities
Illinois (Federal)	Yes	Yes	Yes	No
Indiana (Federal)	Yes	Yes	Yes	No
Maine	Minimal	Minimal	No	No information
Massachusetts	MS Access	Some	No	In select Cities
New Jersey (Federal)	Yes	Yes	Yes	Some
Ohio	Use Federal	Use Federal	Use Federal	No
Pennsylvania	Use Federal	Use Federal	Use Federal	By municipality
Texas (Federal)	Yes	Yes	Yes	No information
Washington	Yes	Yes	No Info	Statewide

Blue Books

New York uses what are commonly referred to as “Blue Books” to record each segment of the work process (activities and tasks) for the trade/occupation. It is kept by the apprentice and signed off on by the supervisor to document what each apprentice has learned on the job. This ensures that each apprentice has knowledge in every segment of the trade/occupation. Some states do not require Blue Books and others utilize other methods as noted below.

California – requires that the hours worked are reported and tracked. The state provides the traditional blue book for use by the apprentice, but the sponsors can use their own forms if they choose to. The books are audited every five years.

Connecticut – uses the record book, but it is not mandated.

Illinois – does not require the apprentice or the sponsor to track hours or tasks accomplished on the work process. Sponsors maintain their records on training hours.

Indiana – does not require the apprentice or the sponsor to track hours or tasks accomplished on the work process. Sponsors maintain their records on training hours.

Maine – uses a form that the state developed in MS Word and sends it to the apprentices to track their hours. The work process tasks are printed on the left hand column.

Massachusetts – uses a book, but it is not mandated. Some sponsors use a book for the apprentices to keep record of their experience by work process. It is not widely used in all parts of the Commonwealth.

New Jersey – does not require the apprentice or the sponsor to track hours or tasks accomplished on the work process. Sponsors maintain their records on training hours.

Ohio – Sponsors are required to document the apprentice's progress toward work process goals. The State does not prescribe a standard format or procedure, but record keeping is one of the priority topics of quality reviews.

Pennsylvania – does not require the apprentice or sponsor to track hours or tasks accomplished on the work process.

Texas – does not require the apprentice or sponsor to track hours or tasks accomplished on the work process. Sponsors maintain their own records on training hours.

Washington State – uses a green book. The State does not require its use. Large programs keep track of hours worked by other methods. All programs are required to report the number of on-the-job training hours worked and related instruction training hours. The sponsor reports this every six months. The State requires apprenticeship programs to record and submit their OJT hours semi-annually. The form for OJT hours is available at: <http://www.lni.wa.gov/Forms/wordForms/100229af.doc>. The form for both OJT and related training is available at: <http://www.lni.wa.gov/Forms/wordForms/100518af.doc>

Because the Blue Books were of special interest to NYSDOL apprenticeship staff, Coffey also included information from the following three states that it was familiar with but were not included in the sample:

Kansas – provides samples to use for apprentice record keeping, but does not require a specific format/book.

Montana – requires apprentices to be responsible for maintaining a record of work related time. If a sponsor does not have some form of work experience record keeping process that would be directly related to what is required by the occupation-trade (and most do not), Montana issues a simple six-month book that allows for accurate time recording. There is no charge for the book; the field representatives explain the process at the time of indenture and each book is signed off on by a supervisor or someone at journey level. Further, the field representatives carry extra books at the time of their compliance inspections. They issue new books if necessary. An apprentice cannot complete the program without documented time, and the books are checked twice per year to ensure the apprentice is getting the right types of experience.

Vermont – uses the same Blue Book recording system that New York uses. There are a few exceptions, such as with the police department programs. For the police department, there is an internal recording system while apprentices are in their “field training.” It is a daily log developed by the department, and when the department requests a completion certificate, the state receives a letter stating that the apprentice has completed all hours as documented in their internal records. The state does not request copies because of a space issue with their files. The state keeps everything indefinitely and does not want reams of daily logs. Vermont also has many sponsors that enter the hours onto a spreadsheet and print it out for the state at cancellation or completion. Exactly how the hours get from the apprentices to the spreadsheet varies. Some companies do it from work orders while others have apprentices fill out weekly logs from which data are then transferred to the spreadsheet.

D. Funding, Staffing, and Workload

The following table provides information by state on funding, staff, the number of programs, and the number of apprentices enrolled. As is evidenced from viewing the data, there is a wide range of variation from state-to-state along these dimensions. California stands out as being unique because of its size. It has more than three times

the number of apprentices (65,585) than Illinois (19,677), which is the state in our sample with the second highest number of enrolled apprentices.

Table 4: Funding, Staffing, and Workload

State	Funding	Staff	Programs	Apprentices
California	\$7-8 million in operations, \$30 million Dept. of Ed. For related instruction – sponsors put in about same	70 Positions – about half ATRs	643	65,585
Connecticut	\$500,000	9	2,200	6,400
Illinois (Federal)	Federal/State – No Funding Details Available	8	897	19,677
Indiana (Federal)	Federal/State – No Funding Details Available	4	1,828	13,046
Maine	Not Available	1 full-time 7 part-time	230	745
Massachusetts	\$420,000	5	610	7,092
New Jersey (Federal)	Federal/State – No Funding Details Avail.	4	1,365	9,015
Ohio	\$1.1 Million	12 State 1 Federal	1,061	16,802
Pennsylvania	No separate line item for apprenticeship	9 Federal 2 State	1,096	16,409
Texas (Federal)	Federal/State – No Funding Details Avail.	6-1/2	592	10,290
Washington	\$1.2 Million	11	240	14,305

E. Program Characteristics

E.1. Best Practices

States surveyed were asked to provide information on what they considered their best practices related to apprenticeship. Some states were reticent to respond because, in their view, there were no outstanding practices occurring in their states. Some were unhappy because of shortages in staffing and funding they were experiencing and noted that it was challenging enough to keep up with the demands of the registration and monitoring of their programs, much less develop best practices.

California cited among its best practices its commitment to ensuring that ATRs visit their programs on a regular basis with the goal of visiting all programs every three months. Also noted by California was its efforts at doing “grass roots” advertising and marketing for apprenticeship. It reported that the state is just getting started in doing Public Service Announcements (PSAs) and has enlisted the assistance of its agency’s communications department to highlight and publish apprenticeship and success stories.

An additional best practice provided by California was that at every SAC meeting an agenda item is devoted to highlighting best practices among programs, including such things as safety training.

Connecticut explained that it is one of four states in the country that charge fees for apprenticeship. (Massachusetts also charges fees.) The fees were established to fund the apprenticeship activities in the state and to provide for staff and support for the apprenticeship division. All of these states experienced situations where they were close to abandoning apprenticeship and returning it to the Federal Government. Funding legislation saved the apprenticeship division in each state. Fees are charged to the sponsor per apprentice, per year, and, in at least one of the three states, a fee is also assessed for the program, per year. It was initially feared that there would be an adverse effect on registration numbers, but that has not proven to be a factor. Instead, it was noted that the fees may have had a positive effect in that the sponsors are more aware of their commitment to apprenticeship.

Illinois reported positive results in working with women and minority organizations and pre-apprenticeship programs in the larger metropolitan areas. Career

fairs are held to give potential sponsors and guidance counselors enhanced knowledge to assist in directing young people into apprenticeship or other career opportunities.

Indiana provided information on its registration of the National Guard and having over 2,000 apprentices registered in 17 different programs in the state. The Indiana National Guard program has been used as a model to register the National Guard in other states.

Indiana also cited, as an innovative practice, the registering of 13 apprenticeship programs with the Indiana Department of Corrections at state prisons where there are over 500 registered apprentices.

Maine shared information about return-on-investment tracking done to determine how much money is returned to the state for every dollar spent. They report that \$49.00 is returned for every dollar invested in the Maine Apprenticeship budget. This information is reported to the State Legislature to increase the awareness of apprenticeship.

Maine noted that it has part-time ATRs working with the Maine Career Centers, and it also has partnerships with the Maine Community College system to develop apprenticeship programs offering degrees from higher learning institutions attached to apprenticeship.

Maine also reported working with high growth/high demand industries such as healthcare, biotech, advanced manufacturing, boat building and information technology to develop apprenticeship opportunities in those industries.

Massachusetts reported that strategically locating staff in geographical areas to service local areas rather than the whole Commonwealth was a best practice. It also

mentioned a well-functioning City of Boston pre-apprenticeship program that introduces youth to construction apprenticeship programs. Additionally, Massachusetts mentioned that direct entry programs such as Helmets to Hardhats work well to provide good candidates for apprenticeship.

Massachusetts also mentioned a Memorandum of Agreement among all interested parties in the Commonwealth for the purpose of advancing the awareness and use of apprenticeship.

New Jersey cited as a best practice that Federal staff work closely with the registration agency partners with the State Education Department's 21 County Coordinators (similar to the Designated Local Education Authorities positions in New York), work closely with both the USDOL and the program sponsors, and actually collect all the information for programs and apprentices for registration. This activity supplements USDOL apprenticeship staff's function. Although the registration agency in New Jersey is a Federal function, there is an advisory committee which advises the Federal State Director and Apprenticeship sponsors in various ways.

State staff targets high growth industries by utilizing promotional materials published by the USDOL National Office. Such materials include DVDs and printed material to hand out on career days and at One-Stop centers.

Neither **Ohio** nor **Pennsylvania** noted any best practices in their responses and when prompted, shared that their best practice was the ability to use Federal staff throughout the state in place of state staff. Both indicated that they realized that as Federal staff leave, there will be no replacements. In Ohio, that has happened and the state has hired new ATRs.

Texas reported that one of its best practices is identifying industry associations and speaking opportunities to them in order to reach out to in-demand industries and inform them of apprenticeship and its benefits to them, including workforce development.

Texas also has legislation which provides funding to registered apprenticeship programs for related instruction on a per apprentice basis. Texas has developed a New Program Development Informational package that includes all the information potential sponsors need for developing a new program, including information on who to contact for assistance. Texas also targets high growth industries (a Federal initiative) and the targeting has produced programs in many new areas.

Washington explained that it has begun to work closely with the Workforce Development System and Boards to develop a relationship by looking for ways to make apprenticeship work rather than find fault or focus on why it will not work. Since this is a systemic change, the state understands that it will take time to see results. Local Boards are invited to tour the training facilities of local programs and to attend council meetings to gain an understanding of the apprenticeship system. A slide show was developed to distribute to Workforce Boards and One-Stops to utilize. Washington did a study that showed an average completing apprentice made \$52,000 per year compared to the average College graduate in the U.S. who made \$51,000 per year in a comparable period following the completion of education and training.

E.2. Barriers and Obstacles to Apprenticeship

The only barrier noted by **California** was that apprenticeship suffers from the fact that “public saturation is not good enough.” They noted that not enough people know

about apprenticeship and they cited the need for studies demonstrating the return on investment from apprenticeship. California identified this as a particular need with respect to recruiting non-traditional occupations to consider apprenticeship. In the absence of hard numbers to demonstrate to employers how apprenticeship can positively impact their bottom line, the state reports difficulty in convincing employers to adopt the model.

Connecticut did not report any barriers or obstacles.

Illinois reported that the lack of staff directly affects the numbers of programs, apprenticeships, services, and marketing activities. The state added that it has an essential need to provide training for existing staff.

Indiana explained that the lack of staff directly affects the numbers of programs, apprenticeships, services, and marketing activities. Indiana also finds the approval of new occupations to be too cumbersome. Indiana is a BAT state and new occupations are approved by the National Office.

Maine did not report any barriers or obstacles facing its apprenticeship system.

Massachusetts responded that the vacant Apprenticeship Director position and some staff vacancies, both State and Federal, have created a shortage of representatives in geographical areas across the Commonwealth. It has now filled the Director position but has at least one staff vacancy posted. Massachusetts reported that a lack of staff and staff training has led to sponsors also needing training in order to maintain consistency in process.

New Jersey, as did many other states (both State and Federal), reported that a staff shortage has directly affected the numbers of programs and apprentices registered

in the state. New Jersey also noted that there is a limited supply of promotional materials or funding to purchase promotional materials. Funding for the State Education Department has been cut, which has constrained the amount of time some State Coordinators can devote to apprenticeship activities.

Ohio, like Pennsylvania, explained that they relied on Federal staff to conduct all field operations. When the Federal government cut back on staff, the state had to hire new people. The replacement of those positions involved considerable training. Ohio also relied heavily on the Federal electronic apprenticeship tracking system which was recently restructured but has experienced problems. This creates a problem with obtaining accurate data, and it is frustrating to staff.

Ohio also reported a lack of consistency in the application of rules and procedures statewide causing a lot of confusion and misinformation. This is being resolved by providing sponsor and ATR training.

Pennsylvania stated that the only staff position budgeted is the State Director. All other staff members are Federal personnel. With Federal cutbacks, there will be a shortage of staff and no state budget to fill the positions to market, promote, register, monitor and service new and existing apprenticeship programs.

Texas, a BAT state, also complained of the lack of staff because of funding cuts and lowered staff ceilings which reduce the numbers of programs and apprentices. It reported that there is a lack of interest on the part of WIA and Workforce Boards who do not seem interested in funding apprenticeship efforts. Texas would also like to be able to advertise apprenticeship and its benefits, but it does not have the resources to do so.

Washington State reported that Workforce Development and Workforce Boards are not concerned with apprenticeship and offer nothing to its advancement. Washington also sees its lack of staff to be an issue affecting promotion, women and minority participation, compliance reviews and marketing to new industries. Washington State has a regulatory apprenticeship council which takes a minimum of six months to approve a new program. Washington also has a fund that insures apprentices while in related instruction. This is paid on a per-apprentice basis, so when the number of apprentices increases, so does the cost of the insurance. The budget for it, however, does not increase.

E3. Relationship with Education

The partnership between education and apprenticeship is required by law in **California**. It reports that there is a “rich partnership” with the State Education Department, which contributes approximately \$30 million annually to related-instruction. Much of the related instruction takes place through the community college system.

There has been increasing interest in distance learning in California. Merit shops have begun using a few distance learning programs, and union programs are expected to utilize distance learning in the future. Distance learning is combined with hands-on labs. Civil service and utility programs are successfully using a program based in Tennessee. While the bulk of the learning is online, apprentices meet once a month for testing, etc.

Connecticut reported having a partnership with State Education which reviews all related instruction for apprenticeship and provides the same through the adult education division of the state’s eighteen vocational – technical schools.

Illinois provided information on an informal partnership with education. Illinois is a BAT state. USDOL and education collaborate for program development, promotion and monitoring. Many building trades programs have an Associate in Apprenticeship Sciences (AAS) degree program attached to apprenticeship. Sponsors link with the education system, not the registration agency, to provide classroom instruction.

Indiana mentioned having a Memorandum of Understanding (MOU) with sponsors and Colleges for degree programs. Most building trades programs have an AAS degree program attached to apprenticeship. Sponsors link with the education system, not the registration agency.

Maine stated that its apprenticeship programs use Joint Apprenticeship Committee (JAC) schools and Vocational Education schools for related instruction and that it has agreements with Maine's Community College system to access an AAS. Apprentices are encouraged to work toward Bachelor's and Master's Degrees. Maine has a 50% tuition reimbursement program.

Massachusetts reported that there is a representative from Vocational Education within the Massachusetts Education Department who is an ex-officio member of the State Apprenticeship Council, but there is no direct link with education for related instruction. Some programs use vocational-technical schools or community colleges. Some of the Union programs in the Commonwealth are tied in with community colleges for AAS degrees.

New Jersey remarked that it has a direct relationship with State Education. There is a partnership with the County Vocational Education Coordinators who participate in many aspects of the apprenticeship process through a Memorandum of

Understanding with the USDOL and NJ DOL. There is some, but not much, expansion into higher level (college) education. Most related instruction takes place in the Vocational High Schools and JAC facilities.

Ohio reported that the state vocational schools (Department of Education) and technical colleges (Board of Regents) are among the most reliable and perhaps most frequently used sources of related instruction. Representatives of these institutions make their presence felt by representation on the SAC and conferences, workshops, and other functions of the council. There is no formal written agreement with Education. The selection of related instruction providers is at the discretion of the apprenticeship sponsor.

Pennsylvania reported that a representative of the Pennsylvania Education Department attends all State Apprenticeship Council Meetings. There is no formal Memorandum of Understanding with Education on a state level. Federal ATRs establish partnerships between local education and sponsors as for related instruction, as needed. These partnerships can be with vocational high schools, community colleges, some four-year colleges, and Joint Apprenticeship Committee (JAC) facilities.

Texas stated that there is no direct partnership between the registration office (Federal) and Education. There is a partnership with the Texas Workforce Commission which monitors the apprentices for funding for related instruction. The partnership is between the sponsor and the State Education Department. The sponsor is responsible for providing a source for related instruction.

Washington state noted that it does not have a partnership with Education. Sponsors provide linkages with the related instruction providers. They use their own

training facilities, correspondence, classroom, distance learning, etc., but it is set up by the sponsor and submitted with the program.

E.4. Pre-Apprenticeship Programs and School-to-Apprenticeship

California explained that it does not currently sponsor any pre-apprenticeship programs that are directly linked to apprenticeship, although some unlinked programs are sponsored by the local workforce system. There is only one remaining School-to-Apprenticeship program in California. Previously, programs in non-building trade areas were funded by both federal and state money. The programs disappeared when funding dried up.

Connecticut reported having regulations dealing with pre-apprenticeship. Regulations of Connecticut State Agencies (31-51d-2(f)) defines "Pre-apprentice" as a person, student or minor employed under a written agreement with an apprenticeship program sponsor for a term of training and employment not exceeding 2,000 hours or 24 months. During this period, pre-apprentices may be paid less than the apprentice starting rate but not less than the minimum wage.

Apprenticeship staff members interact with the two Job Corps Centers in the state. Connecticut does not utilize School-to-Apprenticeship.

Illinois has several entities supporting pre-apprenticeship and preparatory training programs such as Chicago Women in the Trades, Chicago Skill Builders and six YouthBuild programs throughout the state.

The registered programs support these training systems through career exploration, provision of instructors, technical assistance for selection, and credit for previous experience towards a registered occupation, as appropriate.

The Illinois pre-apprenticeship/preparatory training programs recognize the Job Corps Centers that train in the appropriate industries. The Job Corps programs are usually introduced during career exploration. Usually, when an individual finishes one of these programs, the completer proceeds to apply for the trades or begin a career in the field/industry.

Indiana reported having a pre-apprenticeship with Job Corps and a program called the Indiana Plan. The pre-apprenticeship is linked between Job Corps and the Carpenters, Operating Engineers, and Painters Unions. There are four School-to-Apprenticeship programs registered in Indiana.

Maine shared information about a Pre-Apprenticeship program with 72 pre-apprentices registered. There were 38 certificates of completion awarded to pre-apprentices. Maine's registered pre-apprentices are by definition engaged in a full-time program of academic requirements leading to a high school diploma and part-time employment, developing the knowledge and skills required for entry into a registered apprenticeship program.

Massachusetts reported having partnerships with the City of Boston for a program that has inner city youth go through a summer program that gives participants a hands-on opportunity to experience the work of several building trades. Massachusetts also has links with Job Corps to give participants apprenticeship opportunities. There would be more pre-apprenticeship if funding were available, but every year funds get tighter. There is no organized School-to-Apprenticeship program in Massachusetts.

New Jersey noted that it does not register pre-apprenticeship programs, but there are informal local links to registered apprenticeship by community-based organizations with ties to some union building trades programs.

Apprenticeship in New Jersey does not have good linkages with Job Corps programs. The State does have a School-to-Work program called Transition to Work that allows high school students to participate in a program which trains in different trade areas to give students the opportunity to experience what it is like to work in the various trades. The program is successful, but it is not directly linked to registration in apprenticeship. At the local level, there are also programs run by community-based organizations that could be considered pre-apprenticeship programs. These programs have ties to local area apprenticeship programs and provide a source for the apprenticeship program to attract minorities and women.

Ohio responded that there is no state-organized pre-apprenticeship system, although a number of mostly non-profit agencies conduct such programs. The State apprenticeship agency does not have a comprehensive list of these, as they are not regulated by the State or the SAC. Pre-apprenticeship programs that operate or have operated in Ohio include those sponsored by the Urban League, ISUS Corporation (Improved Solutions for Urban Systems) and YouthBuild. Fifteen vocational school campuses and consortiums are actively involved in a network of School-to-Apprenticeship programs. The director of one program was a SAC member for several years. A statewide network of Urban League offices is operating a building maintenance and repair apprenticeship program, sponsored by the Dayton, Ohio branch, and it targets disadvantaged youth for enrollment.

Pennsylvania reported that pre-apprenticeship and school-to-work programs are established in individual local areas as dictated by area needs. There is also a link with Job Corps where participants have direct entry into a related apprenticeship program.

Texas noted that this year, the Texas Workforce Commission is addressing pre-apprenticeship training with a grant proposal. There is no additional information available at this time. For the transportation industry, apprenticeship is using Federal and State Department of Transportation monies to train pre-apprentices on federal highway work and then have direct entry into applicable apprenticeship programs. Job Corps is used as a source for apprenticeship candidates for Certified Nurses Assistants; Job Corps starts them at one level and the program registers them and gives credit for previous experience.

In the Houston area, the Cypress Independent School District sponsors a program and partners with employers to train the students. Walgreen's has a program for Pharmacy Technician with the school where the students take courses and upon completion, they are registered by Walgreen's as apprentices. There are also local areas around the state with programs for disadvantaged youth such as Job Corps and Youth Build.

Washington state reported that there are local programs for pre-apprenticeship but nothing state-wide. Seattle has two effective programs operating at present. Pre-apprenticeship is not linked to Job Corps in Washington. Program sponsors use direct placement of Job Corps participants, but the state agency does not have input on the criteria. Washington State reports a very comprehensive program running in 28 schools. The schools received grants of \$100,000 for pre-apprenticeship. Washington

also mentioned that there are local programs running in the larger cities for disadvantaged youth.

E.5. Integration with the Workforce Investment Act (WIA)

California responded that there is not as much integration with the WIA programs as there should be; however, the state is working to bring about a closer partnership. For example, the state recently started having its ATRs make contact with the local WIBs as a first step toward more cooperation.

Connecticut reported that the state agency works on common initiatives with WIA and One-Stops. The Commissioner of Labor is on the State WIB, and the Apprenticeship Division is a direct report to the Commissioner. There are no WIA funds directed to apprenticeship in Connecticut.

Illinois noted that it has begun a marketing campaign to host an informational meeting in May during the Illinois State Apprenticeship Conference. In addition to this campaign event, to which all WIA partners will be invited to attend, the State Office of Apprenticeship staff will deliver presentations and provide technical assistance and marketing material to support economic/workforce development. The required registered apprenticeship programs utilize the WIA partners to support outreach efforts by sending their apprenticeship opening announcements as well as events for co-participation. Illinois has apprenticeship coordinators that provide technical assistance to and serve as members on the local WIBs. To our knowledge, they do not have any representation on the state WIB. Illinois staff members partner with the One-Stop centers by providing technical assistance and outreach efforts.

In addition to the direct activities of apprenticeship coordinators with the One-Stops, the internal recommendations developed during compliance reviews will be used to enhance sponsors' support the workforce investment system and the One-Stops.

Indiana responded that staff works closely with the One-Stop Centers in the state. Apprenticeship program sponsors are on two of the local WIBs.

Maine explained that it has secured a WIRED grant for boat building and has tied apprenticeship into the grant process. Other than the grant for boat building, there is no connection between apprenticeship and WIA.

Massachusetts stated that its Apprenticeship agency provides information to the WIBs about registered apprenticeship, but there is no formal linkage. Some local unions are represented on the state Workforce Board and some local boards. ATRs visit the One-Stop centers to distribute apprenticeship information to the One-Stop staff. The State Apprenticeship agency receives no funding from WIA sources.

New Jersey reported that several Department of Labor staff members involved in WIA are on the Apprenticeship Advisory Committee and are sharing their expertise with the NJ apprenticeship system. New Jersey commented, however, that no one has been able to figure out how to use the WIA funds in the apprenticeship system with the exception of using it to fund pre-apprenticeship.

Representatives from organized labor are on both local and state Workforce Boards. ATRs have visited and distributed promotional and informational materials to all One-Stops in the Commonwealth. There has been little linkage with the One-Stops supplying potential apprentices to registered programs.

Ohio acknowledged being influenced by the USDOL's recent Technical Employment Guidance Letter (TEGL) on this subject. Accordingly, their SAC's umbrella agency, the Ohio Department of Jobs and Family Services (ODJFS), is exploring ways to achieve integration. So far, the coordination between WIA and RA is informal. Until recently, a member of the SAC also sat on the state WIA board, and the SAC director participated in the state WIA Youth Council. Funding from WIA in the present budget comes largely from governor's discretionary funds under WIA.

Pennsylvania said that its partnership with WIA is a work in progress. Contacts have been made but there are no real successes to report. Some apprenticeship sponsors in Pennsylvania use One-Stops to recruit new apprentices. Also, some WIA funds are used for pre-apprenticeship but not for registered programs. This is because WIA funds can be used to train people to learn basic skills; however, once they are in a registered program, they do not qualify.

Texas reported that all too often WIA grant recipients opt out of apprenticeship because of a "we already have the money mentality." The state noted that the goals of WIA and apprenticeship do not match and priorities are different. All the grant recipients receive Department of Labor monies, but they are not required to fund apprenticeship.

Texas also noted that there is a linkage between apprenticeship and Workforce Development which has been strengthened with the USDOL ETA TEGL 2-07 (see Appendix F). If there is a linkage, it varies by location and is largely inconsistent. To the interviewee's knowledge, there is no mandate from the state WIBs to work with apprenticeship.

Texas added that ATRs visit the One-Stops, youth managers, etc., in developing relationships to inform them about apprenticeship.

Washington State reported that the State Apprenticeship agency is trying to establish linkages with WIA and Workforce Development. There may be some sponsors on local boards, but the state agency has no direct connection. The state further reported that they are working to develop good relationships with One-Stops by developing workshops on apprenticeship. Pre-apprenticeship programs are run by private entities, so there is no connection with WIA.

E.6. Marketing of Apprenticeship

California identified its grassroots marketing effort as a best practice (see III.F.1 above). In general, the interviewee noted that the state does not experience much difficulty recruiting minorities, especially Hispanics. As with most states, California reported having difficulty attracting women. California recently initiated a “Director’s Award” that will go to the program with the best record in supporting women.

Connecticut commented that the ATRs and all staff are constantly promoting apprenticeship and all Connecticut Department of Labor services.

Each year the state of **Illinois** develops an annual plan, which involves researching economic development and high growth industries to support promotional planning. The state plan, with input from and the support of staff and sponsors, includes specific items to support marketing efforts. The following items are examples from the plan that were provided by Illinois:

- Efforts will continue to research, identify potential sponsors and inform industries about training, grants and education and apprenticeship opportunities to support the targeted industries. The Consultative Sales Solutions Training Guide will be used as a tool to refresh and sharpen skills on marketing and sales. This

includes obtaining local economic development and workforce information that may support workforce integration, leverage resources and develop pathways for talent development.

- Illinois staff strategies when visiting One-Stops include providing marketing material on RA (celebrating the 70th Anniversary), supporting presentations to the WIA Program Services staff (Adult, Youth, Dislocated Worker), using the agency's apprenticeship DVD, supporting the Training Employment Notice (TEN) 17-06 "Vision for a 21st Century Apprenticeship and Training and Employment Guidance Letter 2-07 (TEGL) documents, providing technical assistance to maintain collaboration efforts and verifying outreach efforts with the existing program's.
- Illinois staff will participate in the "Driving Transformation" forum to support the workforce investment system as it develops innovative solutions that connect workforce and economic development with employers, educators and job seekers, and ensure a dynamic pipeline of talent to fuel regional economies.
- Illinois staff will develop a marketing campaign to invite all workforce investment areas to participate in the "Leveraging Registered Apprenticeship as a Workforce Development Strategy for the Workforce Investment System" presentation on May 21, 2007.
- Illinois staff will give attention to the YouthBuild programs for supporting at-risk youth. Technical assistance will be provided to the YouthBuild programs on collaborating with the building trade's apprenticeship programs and supporting the registration of the youth development practitioner apprenticeship program.
- The Illinois State Apprenticeship Conference will be a main event to support the 70th anniversary and market registered apprenticeship.
- Illinois staff will cooperate with Chicago City College and the Probation Challenge program to foster registration of an apprenticeship program for their Media Department.
- Illinois staff shall target the Chambers of Commerce, utilize the library's database to sort by SIC and targeted industries, use local newspapers, and send out mailings and promotional material. Review Chamber events for contact information with follow-up activity on a regular basis. Research grants that were issued in assigned territories and contact for potential registration.
- Illinois staff will collaborate with the Illinois Veterans Association's Veterans Educational Specialist to provide returning veterans with additional training opportunities and support economic development with the apprenticeship programs in high growth industries.

- The Rockford Tooling & Machining Association, Women of Today's Manufacturing Association, Elgin Community College, Sauk Valley College Workforce Council will be targeted for attending meetings, sending mailings and making presentations. The entities have monthly meetings that can be attended with anticipation of using the meetings to meet members, build relationships and request scheduling of presentations to market apprenticeship.
- An additional key strategy for promotional events includes using the agency's bulletins, newspaper articles and established programs. The internet will be used to research occupations to support registered apprenticeship promotional events. This may include on-line training providers and companies partnered with private training providers.

Illinois reported that the state's previous endeavors with the targeted High Growth Jobs Training Initiative (HGJTI) were not very successful in registering new programs during FY 07. Although research/strategic planning and identifying ways to coordinate and engage partners were addressed, the opportunity to implement those actions was not always afforded. Some representatives found companies having limited interest, while others shared instances where local governments had voted against registration. For example, the City of Pekin decided the program was not feasible to incorporate in their system, while Peoria, Illinois, decided that it would be cheaper to contract the work out.

Indiana stated that it markets apprenticeship using the USDOL marketing tools. Printed materials and DVDs directed at high growth industries are used as available. The staff is marketing new programs in health care, information technology, advanced manufacturing, bio-tech and other National Office initiatives.

Maine identified as one of its best marketing tools, its connection with education and the ability of apprentices to obtain degrees tied to their apprenticeship. Apprenticeship tries to address the needs of Maine's industries by designing programs to meet the needs of industry in innovative ways and by advancing into new trades and

welcoming innovative ideas. Maine promotes apprenticeship by advertising the positive impacts on productivity, retention, and quality.

Massachusetts reported that it has a Memorandum of Agreement for 21st Century Building Trades Apprenticeship Preparedness Program. Massachusetts has experienced turnover in staff including the Director's position, which was noted as having a negative effect on the marketing of apprenticeship.

New Jersey, like Indiana, acknowledged that it markets apprenticeship using the USDOL marketing tools. This includes using printed materials and DVDs directed at high growth industries. The staff is marketing new programs in health care, information technology, advanced manufacturing, bio-tech and other National Office initiatives.

Ohio shared that until this year, there was no money for marketing, with the exception of an "Expanding National Registered Apprenticeship System" (ENRAS) grant from DOL in 2005 that was used to increase the supply and range of printed materials. Their new level of funding in the present fiscal year makes it possible to plan a marketing strategy; however, the council recently established a committee to start that process.

Like Indiana and New Jersey, **Pennsylvania** and **Texas** also reported that they market apprenticeship using the USDOL marketing tools to develop apprenticeship programs in areas promoted by USDOL.

Washington State reported that they have no active marketing plan. The state thinks that there is insufficient staff to market new programs when it cannot properly service existing registered programs.

Section IV: Analysis of Current Governance Structure

A. New York State Documents

As part of the examination of New York State's apprenticeship structure, Coffey reviewed materials provided by NYSDOL to determine if there are any aspects of the current governance structure that are out of compliance with Federal law, or otherwise do not serve the best interests of apprenticeship.

One of the key documents Coffey reviewed was New York State's Apprenticeship Equal Employment Opportunity in Apprenticeship Training Regulations, Part 600 (Statutory Authority: Section 811 of the Labor Law). Minor differences were found between these and federal regulations. These have been in effect for years and have been accepted by the USDOL. For example, Federal regulations 29 CFR Part 30 limit the requirement for apprenticeship programs to develop affirmative action plans by stating that programs with less than five apprentices are exempt from having to provide an affirmative action plan. New York regulations do not have a similar exemption and require that all programs, regardless of size, provide an affirmative action plan.

Also reviewed were New York State Regulations Governing the Registration of Apprenticeship Programs and Agreements Part 601 (Statutory Authority: Article 23 of the Labor Law, Section 811). Nothing was found that differs significantly from the Federal 29 CFR Part 29. Some examples of very minor differences were found such as the fact that Federal regulations recommend 144 hours of related instruction per year while the New York State regulations state that related instruction shall not be less than 144 hours per year. Another example is that Federal regulations establish the minimum length in time of an apprenticeship program as 2,000 hours (one year) while New York

State regulations stipulate that a program shall not be less than 4,000 hours (2 years). At the discretion of the Commissioner, the minimum can be set at 2,000 hours (one year).

These slight differences from the Federal regulations are not in conflict with Federal regulations. In fact, the USDOL conducted a review of NY State's Apprenticeship system approximately three years ago and found that the state of New York was in compliance with Federal Regulations.

B. Stakeholders' Perspective on New York's Regulations and Procedures

Interviews with key apprenticeship stakeholders reported in Section II above, did not yield any complaints about the current regulations and procedures employed by the state. While there was agreement that it is a good practice to revisit them, with input from the sponsors and reducing paperwork and bureaucracy wherever possible, the complaint frequently expressed was that the ATRs were not necessarily fully knowledgeable of all regulations and procedures and that the regulations and procedures were not interpreted and applied fairly and consistently by the ATRs.

C. USDOL's Proposed Rule Changes

The U.S. Department of Labor is in the process of revising the Federal Regulations on Apprenticeship. The proposed regulations were published in the Federal Register (29 CFR Part 29 – December 13, 2007), and the notice invited comments from the general public and the apprenticeship community. Many comments were submitted to the Department and are being reviewed. It is unknown what changes, if any, USDOL will make; therefore, Coffey is unable to make

recommendations regarding the impact of these proposed changes on New York State's regulations at this time.

A copy of the proposed rule change from the Federal Register (December 13, 2007) can be found in Appendix E. We recommend that these proposed changes be reviewed and discussed by New York's apprenticeship staff and newly constituted State Apprenticeship Council. Similarly, any revisions to these proposed changes should be reviewed and discussed if and when they are released by USDOL.

D. USDOL's Guidance Letter on Apprenticeship and Workforce Development

Another useful tool for review in considering any changes to apprenticeship related policies and practices in New York is the Training and Employment Guidance Letter (TEGL) No. 2-07, which was published on July 12, 2007. A copy of the TEGL is provided in Appendix F. The Department's stated purpose in issuing the letter was "to provide information and resources to support the use of Registered Apprenticeship by the workforce investment system as an effective approach to building a skilled and competitive workforce in regional economies."

A review of TEGL No. 2-07 is recommended for the apprenticeship staff, the State Apprenticeship Council, and state leaders from the workforce development system. This document could serve as a basis for initiating a dialog on the integration of apprenticeship with the workforce development system. It outlines USDOL's vision for the integration of apprenticeship with workforce development and provides some useful examples of initiatives taken by states around the country that are consistent with this vision.

Section V: Analysis, Findings, and Recommendations

A. Analysis

Coffey's work in conducting interviews with executive staff of the New York State Department of Labor, surveying key apprenticeship stakeholders around the State, analyzing current New York State apprenticeship regulations, and researching information and practices of other selected states, yielded a wealth of valuable information. The data collected should prove extremely useful to the State as it examines and restructures its Apprenticeship Training Program.

Although there are substantial issues that need to be addressed, our conclusion is that the key ingredients are in place to begin to build a new and stronger apprenticeship model that is poised to meet the challenges of today's workforce and economy. This optimism is based on several factors. First, in order to bring about change, it is necessary to know that change is needed. New York's bold action in placing a moratorium on apprenticeship and launching a thorough review of its system is direct evidence of its recognition of problems and the desire to solve them.

Second, leadership within the executive level echelon of an organization needs to share a common understanding of the problems and a general vision for how things might be different. The Coffey team was impressed that the executive management staff members interviewed were very knowledgeable about a number of the problems experienced in the past and, importantly, they all expressed a similar vision regarding both what needed to change and their commitment to change things for the better.

An additional ingredient needed for change is support from the key stakeholders identified by NYSDOL for inclusion in the surveys. While most of the stakeholders held

the view that the system was in need of significant change, they also expressed appreciation for having been included in the process and appeared pleased and supportive of the State's efforts to bring about change. Most of those interviewed expressed the opinion that the problems in the system had less to do with current regulations and policies than it did with the leadership of the Apprenticeship Training Program; the number and quality of trained staff; the need for more and open communication; and the fairness and consistency in the application of policy. Support from the stakeholders should prove valuable as the change process moves forward.

Whenever change is being considered in a program, it is always a good practice to look at other similar programs. This provides an opportunity to see what others are doing in order to understand what works well elsewhere that can be emulated and/or further refined or adapted. It also helps to understand what mistakes have been made that can be avoided. This was the idea behind New York's requirement that Coffey survey other mid-sized and large apprenticeship programs as part of this effort. As discussed in Section III, some states, for various reasons, were somewhat reluctant to spend the time and effort to share much information. Nevertheless, the task produced some valuable information that can provide a point of comparison for New York. Additionally, there are some examples of best practices and policies that are per se useful as New York endeavors to restructure its program.

Unlike many other employment programs, apprenticeship throughout the country has remained relatively unchanged for a number of years. The USDOL has been working hard, especially in recent years, to inspire state apprenticeship programs to adopt new and more progressive policies, expand into non-traditional areas, and to

develop more partnerships with other agencies, including workforce development. It has produced publications, hosted webinars, and even produced proposed changes in rulemaking. Despite these efforts, the responses of the states surveyed suggest that states have been slow to change the way they have been doing things for years. While expressing interest in some of the innovations proposed by USDOL, they have not received needed funding and focused attention from key state leaders. Clearly, there are numerous examples of new initiatives that states have undertaken, but generally speaking, there are not as many new and large scale efforts underway as might be expected.

Given the lack of evidence of bold reforms and innovation taking place on any large scale, as New York makes changes in its system, it will be in a position to potentially become a recognized leader in innovative practices in the near future.

Although there is no substitute for reading interviewees comments contained in the previous sections, key findings distilled from our surveys, along with analysis and recommendations are presented below. The findings are organized around five major topic areas: 1) Structure and Administration, 2) Recruitment and Marketing, 3) Training Related Instruction, 4) Relationships/Partnerships, and 5) Performance.

B. Findings

1. Structure and Administration

- Stakeholders view apprenticeship as a great training model.
- In general, there is agreement among stakeholders that there are serious problems in the system that demand attention. Words like “disarray,” “chaotic,” “archaic,” “broken” and “dysfunctional” were frequently used to describe the current status.

- There is a lack of leadership in the central office (the position is currently vacant). The director position needs to be filled by someone with strong leadership qualities.
- There are too few Apprenticeship Training Representatives (ATRs).
- Current ATRs are good but overwhelmed and need more training.
- The theme of the need for consistency came up repeatedly. This applied to the need for more consistent direction and decisions from ATR to ATR and the need to be consistent in the treatment of both union and non-union programs.
- Work processes, regulations, and policies need to be reviewed. Bureaucracy and paperwork need to be reduced.
- Current regulations should be enforced fairly and consistently.
- The moratorium has been tough on the non-union sector because it cannot bid on projects without apprenticeship programs and cannot start new ones.
- Politics should be kept out of apprenticeship. Union and non-union sponsors should be treated fairly, equally, and consistently.
- The current apprenticeship model should be examined to consider duration and flexibility.
- Vacancies on the State Apprenticeship Council (SAC) should be filled.
- The SAC would like more authority.
- There should be increased funding for ATRs, related instruction, and other things.
- Apprenticeship should be linked to other credentials such as an Associates Degree.
- Communication is a major problem. NYS should consider online tools and reinstating the practice of holding statewide apprenticeship conferences.
- There is a need for greater scrutiny for new programs. The same quality should be demanded of everyone. Poor quality programs that exist solely to allow bidding on public jobs should be deregistered.
- To reduce loss of paperwork and increase speed, an electronic (online) system should be developed/implemented.

2. Recruitment and Marketing

- High school counselors should do more to promote apprenticeship.
- School-to-work and pre-apprenticeship programs should be developed and implemented statewide.
- Recruitment of minorities and women (more challenging) is a problem for some sponsors.
- Apprenticeship is a good learning model for any trade, craft or occupation; it should be expanded to other industries and occupations.

3. Training Related Instruction

- If competency-based training is to be used, tight parameters, monitoring, and proper testing are needed.

- Hands-on training and one-on-one relationships should not be sacrificed. E-learning and Distance learning have a place, but quality must not be compromised.

4. Relationships/Partnerships

- There has not been much of a relationship between workforce development and apprenticeship.
- Workforce money could be used for pre-apprenticeship and health and safety training.
- Issues related to Apprenticeship-Related Supplemental Instruction Program (ARSIP) monies need to be addressed.
- The State Education Department does not seem interested in apprenticeship. Consider having the Department of Labor assume its role.

5. Performance

- Sponsors should not be penalized for early withdrawals from programs because apprentices quit after discovering they are not cut out for the job.
- Stricter program standards would make the completion certificate more meaningful.
- Quality training must be maintained and should be monitored and enforced. Poor quality programs should be eliminated.
- There are some differences of opinion regarding acceptable levels of completion and retention.

C. Recommendations:

1. Apprenticeship Director

High priority should be placed on filling the Apprenticeship Director position. It is desirable to identify someone who is experienced, but more importantly, who shares the vision of the executive staff regarding the future direction of apprenticeship.

2. Strategic Plan

One of the first duties of the new Apprenticeship Director should be to launch a process for developing a five-year strategic plan for apprenticeship. This report and the internal process mapping project should be “must reads.” Another key document which should be reviewed is the proposed rule change from the Federal Register (December

13, 2007). See Appendix E. Additionally, a review of USDOL's Training and Employment Guidance Letter (TEGL) No. 2-07, published on July 12, 2007 should be reviewed to obtain an understanding of the direction that USDOL has been moving the apprenticeship system. A copy of the TEGL is provided in Appendix F.

The strategic planning process should involve all stakeholders. Not only will the plan benefit from the inclusion of their ideas, but also support will be generated for accomplishing the plan.

The strategic plan should address all of the areas discussed in this report and include any other important aspects of apprenticeship. It should include clear statements about desired objectives and outcomes in each area, a timeframe for achieving them, the steps involved, and the persons or organizations responsible.

More than likely, there will be more items in the plan than there is money to fund it. Having developed a clear vision and strategic plan for apprenticeship, the challenge will be to assign costs to achieving each objective and determine which can be achieved with the present budget and which will require obtaining additional funding. In some cases, business and foundations may be able to assist. In others, presentations may need to be made to legislators, outlining the need and expected return on investment. Other creative ideas may be developed for accomplishing the objectives of the plan.

3. State Apprenticeship Council

All vacant positions on the Council should be filled, starting with the Chair. Stakeholders from merit shops have expressed interest in being represented on the

Council, as is the practice in many other states. Their request should be taken under consideration.

Regularly scheduled State Apprenticeship Council meetings should be resumed. Several stakeholders expressed the opinion that the State Apprenticeship Council was not given enough responsibility to make decisions regarding registration and other practices. State Council members have also expressed an interest in having an expanded role. The role and authority of the Council should be reviewed.

4. Apprenticeship Training Representatives (ATRs)

There is a widely shared opinion that the number of ATRs is insufficient to cover the State. A formula for staff justification should be developed and geographical areas within the state should be established. The latter could conform to regional economies or other regional divisions established by the state. A set number of programs and/or apprentices should be established per ATR.

Intensive staff training on all aspects of the apprenticeship system should be conducted for all ATRs. The need for fairness and consistency should be stressed and standards established for timely and thorough monitoring.

Quality control procedures should be adopted to ensure that checks and balances are in place to prevent duties of the ATRs from being poorly performed or not performed at all.

5. Regulations and Standards

Since there was strong consensus on keeping standards high and making the system more accountable, the ATRs should be trained on the regulations and standards and on enforcing them uniformly and fairly. This should include the use of sanctions for

those sponsors not following the regulations. New program registration and de-registration processes should be strictly adhered to.

It is a good practice to reexamine regulations periodically to ensure that they continue to serve their intended purpose despite changes in the program, workforce, and economy. This is a function that could be assigned to the SAC. The review process should include feedback from apprenticeship staff and sponsors who are in great positions to identify needed changes.

Procedures and practices are likely to require examination and adjustments more frequently than regulations and standards. The recently completed internal process mapping should be helpful in identifying procedures that are ineffective, inefficient, and unnecessary. A process should be developed to facilitate the periodic review of procedures and practices. This should include input from staff and stakeholders who should be encouraged to identify outmoded or inefficient practices. The formal process to be followed in communicating the need for changes should be made clear to all staff and stakeholders.

6. Blue Books

Many stakeholders would like to see alternate methods to the practice of keeping “Blue Books” as a record of apprentices’ hours. Information on how other states included in the survey addressed this issue has been included in this report. We recommend that New York’s apprenticeship staff, in conjunction with the SAC, make the decision on which alternative method should be chosen. There is no “right” method. Regardless of which method is selected, it is important that everyone is informed on the requirements and expectations.

7. Performance Standards

NYS should consider conducting a study of retention and completion rates throughout the State. This could be used to establish acceptable retention and completion rates as goals for program sponsors.

8. Communication

One of the items where there was a particularly strong consensus was the need for more frequent and effective communication. We support the suggestion made to reinstitute the practice of holding statewide apprenticeship conferences. Sponsors said that a great deal of peer-to-peer learning took place in classroom-type settings at these conferences where the staff and sponsors could openly discuss process-related issues.

Another suggestion we support is better utilization of the State's apprenticeship website to provide policies, procedures, regulations, and apprenticeship-related activities taking place throughout New York. To be maximally useful, this would require the commitment of staff to regularly maintain the site.

9. Electronic (Online) Data Management System

Stakeholders indicated strong support for the development of an electronic data system for registration, tracking, monitoring, data collection, and records management. Such a system would eventually produce "real time" forms, reports, etc., serving sponsors, staff, and management with greatly improved speed, and accuracy, plus provide greater accountability. It would address the complaints voiced about misplaced and lost paperwork.

Coffey suggests contacting the State of California to ascertain more details about their electronic system which was created, and is being maintained, by in-house

programmers. There are pros and cons of developing a system in-house as opposed to contracting for the services. Given its relative size, California could likely provide some relevant guidance in making the decision.

10. Apprenticeship in Non-Traditional Areas

There was recognition among those surveyed that the apprenticeship model could work well for almost any trade or occupational area. Given industry's frequent complaint about having difficulty finding skilled workers, apprenticeship offers a tried and proven method to develop a workforce. Furthermore, it provides an opportunity for those who do not wish to attend a traditional four-year college, or cannot afford higher education, an opportunity to earn a living while they learn.

Developing apprenticeships in non-traditional areas could be a beneficial way to address employer needs while providing opportunities that many citizens would otherwise not have. Success at establishing apprenticeship programs in non-traditional areas will require a well developed marketing plan that includes materials that explain how apprenticeship works and the benefits it brings to business and industry. The plan should also include a strategy for developing appropriate venues for introducing it to various trade and industry associations.

11. E-Learning/Distance Learning

Educational technology has advanced to the point where many well known colleges and universities are providing online undergraduate and graduate courses and degrees. Most stakeholders recognize that there is a place for electronic and distance learning as a component of related instruction. There is a concern, however, that tight parameters must govern its use.

Limited use of e-learning/distance learning can be of value and is practical especially in rural areas where students have to travel great distances to attend class. Coffey recommends that parameters be developed for the type of training that lends itself to electronic delivery, with provisions for such things as onsite testing and periodic labs. The state can benefit from lessons learned in other states as they began implementing their e-learning/distance learning.

12. Integration with Workforce Development

Based on the information received from this project research, although the apprenticeship program reports under Workforce Development in NYSDOL, substantive linkages do not appear to exist. This is not an uncommon outcome; it was also reflected in the feedback received from the other states that were surveyed.

Coffey recommends that a more comprehensive linkage be made with Workforce Development. The efforts described by Illinois could serve as a springboard for ways of accomplishing better linkage. For starters, cross-training between apprenticeship and workforce development needs to take place. This could lead to involvement of the One-Stops in recruiting, especially for minorities and women. Additionally, pre-apprenticeship could be funded with WIA dollars to increase the supply of candidates with the requisite skills for apprenticeship.

Another suggestion is to start by appointing someone from Workforce Development to serve on the State Apprenticeship Council as a full or ex-officio members. Conversely, apprenticeship representatives can be appointed to serve on the state and local workforce boards.

13. Relationship with State Education Department (SED)

Stakeholders questioned the State Education Department's involvement in apprenticeship within the State. Coffey suggests that Education could be an important partner and that the State Council be tasked to examine SED's involvement, and review distribution of the ARSIP funds. This issue may require the involvement of the Labor Commissioner in initiating a dialog with SED.

14. Marketing and Outreach

Despite the fact that RA has been formally recognized in this country for over 70 years, it is surprising how little is known about apprenticeship. Mention of "apprenticeship" frequently conjures up images of poorly lit factories and grease covered workers. Few are aware of how technologically advanced the trades have become, the high-level skills that need to be developed, and the economic benefits of apprenticeship. High school guidance counselors, teachers, and parents put pressure on students to go to college, despite the fact that it may not be a good fit for the student who is gifted in other ways and can earn more through an apprenticeship program. Many apprenticeship programs offer college credit and have articulation agreement with community colleges.

The image of apprenticeship needs to change if it is to attract students. Additionally, minorities and women need to feel that apprenticeship is a welcoming and viable option for them. We recommend that a component of the strategic plan should focus on marketing and outreach efforts designed to change the image of apprenticeship and attract students. Consideration should be given to working closely with the schools in developing a promotional campaign. To keep costs down, upbeat

Public Service Announcements (PSA) that have appeal to today's youth, can be developed.

A big part of the problem of educating school system personnel and potential candidates about opportunities in apprenticeship is that there is no one place where people can go to find all relevant information presented in an organized and appealing manner. Consideration should be given to developing an informational website that is designed to appeal to today's youth who have grown up in a world of sophisticated video games and electronic media.

Appendix A

**Letter from
Commissioner Smith
to Stakeholders**



New York State Department of Labor

Eliot Spitzer, Governor

M. Patricia Smith, Commissioner

January __, 2008

Mr. _____

Dear Mr. _____:

As you know, Governor Eliot Spitzer has directed the New York State Department of Labor (NYSDOL) to undertake a thorough review of its Apprenticeship Training Program to determine where modifications and improvements can be made that will support increased program outcomes for apprentices and apprenticeship sponsors and will align apprenticeship with the broader workforce development system.

NYSDOL initiated this process by conducting an internal review of the Apprenticeship Training Program by holding multiple focus group sessions with all program staff to review the current processes of the program’s major functions, including developing and registering new programs, marketing, monitoring, recruitment, registration and completions. As a result of those focus group meetings, areas were identified that need further research, including input from key stakeholders and experts in the field of apprenticeships, and among other states across the country to identify best practices in the Apprenticeship Training field.

To assist us in our efforts, we have procured the services of Coffey Consulting. Lead project staff includes John Griffin and Bernie Antkowiak. John Griffin previously served as a federal Apprenticeship and Training Representative in New York before becoming the federal State Director and then Regional Director for the Bureau of Apprenticeship and Training. Bernie Antkowiak held the position of Assistant Secretary for Workforce Development in Maryland for the past four years and in that role he oversaw the transfer of Maryland’s Apprenticeship and Training program from the Division of Labor and Industry to Workforce Development. Either John or Bernie will be contacting you to request your assistance by meeting with them to discuss your perspective. I encourage you to participate in this process. NYSDOL will greatly appreciate your cooperation and candid responses which should assist us in our efforts to improve the effectiveness of apprenticeship in New York.

If you have questions, Coffey Consulting will be able to address your concerns. Thank you for sharing your knowledge, experience, and perspective so as to strengthen apprenticeship in New York State.

Sincerely,

M. Patricia Smith

W. Averell Harriman State Office Campus, Building 12, Albany, NY 12240
www.labor.state.ny.us

Appendix B

Stakeholders Interview

Contact List

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
1. Kenneth Adams President & CEO The Business Council of NYS The Schuler Building 152 Washington Avenue Albany, NY 12210 (518) 465-7511	03/05/2008	03/11/2008			Completed Gave Margaret Moree's name. Wanted to share with the members of the organization.
2. Christopher Bast President Bast Hatfield, Inc. 1399 Vischers Ferry Road Clifton Park, NY 12065 (518) 373-2000	02/18/2008			02/28/2008	Completed Christopher Bast was a participant of the focus group held in Building 12, Labor Department. He brought a representative from ABC and two of his employees.
3. Paul Belliveau District Council #9 JAATF 45-15 36th Street Long Island City, NY 11101 (718) 937-7440	03/14/2008 03/18/2008				Not Completed Bridge Painters Union. Was given name of Gus Damontes. Left 2 messages.
4. Douglas Bogart Personnel Administrator Vail-Ballou Press, Inc. Pine Camp Drive, Box 1005 Binghamton, NY 13902 (607) 723-7981	03/05/2008		03/06/2008		Completed Conducted onsite interview.
5. Daniel M. Boody IUPAT DC#4 JATC (Ithaca, Binghamton, Elmira) 585 Areo Drive Cheektowaga, NY 14225 (716) 565-0112	03/14/2008 03/18/2008	03/18/2008			Completed Craig Stoner interviewed.
6. Dan Boody, Sr. Painters DC #4 585 Aero Drive Buffalo, NY 14225 (716) 565-0303	03/14/2008 03/18/2008	03/18/2008			Completed On 03/18/2008

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
7. James Cahill Int. Rep. UA 39 Peach St. Nanuet, NY 10954 (845) 627-1140	03/14/2008	03/14/2008			Completed On 03/14/2008.
8. Melissa A. Campbell ALCOA Inc. Massena, NY 13662 (315) 764-6204	03/14/2008 03/18/2008	03/27/2008			Completed In conjunction with Alcoa. Damon Haggett interviewed.
9. Howard Carr Bricklayers Local 1 JAC 12-07 44th Avenue Long Island City, NY 11101 (718) 706-9294	03/14/2008	03/14/2008			Completed On 03/14/2008.
10. Karen A Coleman Director Workforce Dev. & Training Building 12 – Room 450 Albany, NY 12240 (518) 457-0380	02/27/2008		02/27/2008		Completed Department of Labor Executive Staff. Met in Building 12.
11. Louis J. Coletti Building Trade Employers' Association of New York 1430 Broadway, 8 th Floor New York, NY 10018 (212) 704-9745	02/05/2008		3/12/2008		Completed Met at 3:00 p.m., 11 th floor, Room 1106 Corner of 40 th Street in NYC.
12. Paul Collins Jr. President SMWIA L. 137 21-42 44th Drive Long Island City, NY 11101 (718) 937-4514	03/14/2008 03/18/2008				Not Completed Was in a meeting when called, was to call back. 03/18/2008 Called again and was told he will call back.
13. Jeremiah Comer IBEW 4207 Mistral Circle Liverpool, NY 13090 (315) 546-5046	03/05/2008	03/05/2008			Completed Had phone interview with Mr. Comer.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
14. Jerry Connolly Int'l. Brotherhood of Boilermakers 24 Van Siclen Avenue Floral Park, NY 11001 (516) 326-2500	03/14/2008	03/14/2008			Completed Mr. Connolly retired - spoke with Jason Dupuis.
15. Ms. Omoye Cooper Director, DEOD New York State DOL Building 12 ~ Room 540 Albany, NY 12240 (518) 457-1984	02/27/2008		02/27/2008		Completed Department of Labor Staff. Met in Building 12 along with Shawna McDaniel.
16. Martin Daly Carpenter's JATC of NYC 395 Hudson Street New York, NY 10014 (212) 727-2224	03/05/2008		03/12/2008	04/10/2008	Completed Met at 10:00 am at the Carpenters. NYC Also met with Martin on 04/10/2008.
17. David J. Decaire, Sr. Plumbers & Fitters JAC #73 PO Box 911 Oswego, NY 13126 (315) 343-4037	03/10/2008	03/10/2008			Completed Talked with David Goodness, Apprenticeship Coordinator. Completed survey.
18. James De Maria President Crestwood Mechanical Co., 2393 Butler Place Bronx, NY 10462 (718) 822-7373	03/18/2008	03/18/2008			Completed Talked with Jim De Maria, President.
19. Ricky Dickson Director Asbestos Workers LU #91 PO Box 38 Tarrytown, NY 10591 (914) 788-0400	03/18/2008	03/18/2008			Completed Conducted phone interview.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
20. William Duffy President & Business Manager IUOE PO Box 206 Farmingdale, NY 11735 (631) 694-2480	03/18/2008	03/18/2008			Completed with Bruce Meringola, Apprenticeship Director.
21. Jason Dupuis Boilermakers Northeastern JAC LU #197 297 Burnside Avenue East Hartford, CT 06108 (860) 569-8368	02/18/2008 02/28/2008	03/14/2008			Completed Talked with Jason by phone and he was out of the office until after the 8 th of March. Interviewed Jason on 03/14/08.
22. Dennis Fitzgerald Acting State Director USDOL/ETA/OA Leo O'Brien Federal Building, Room 809 North Pearl & Clinton Albany, NY 12207 (732) 750-0767	03/04/2008	03/04/2008			Completed Had telephone interview. Office is actually in Iselin, NJ.
23. Howard Goldsmith Executive Coordinator NYS Education Dept. 89 Washington Avenue Albany, NY 12234 (518) 486-6839	03/05/2008 03/10/2008	03/18/2008			Completed Was called by Thomas Orsini who was told to do so by Mr. Goldsmith. Mr. Orsini to call back (315) 486-1548.
24. Damon Haggett Apprentice Administrator Alcoa PO Box 150 Massena, NY 13662 (315) 764-4275	03/20/2008 03/24/2008 03/27/2008	03/27/2008			Completed 03/27/2008
25. Ronald Haney Roofers and Waterproofers Local #195 JAC 6200 State Route 31 Cicero, NY 13039 (315) 699-1808	03/10/2008 03/14/2008	03/14/2008			Completed Interviewed Ron on 03/14/2008.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
26. Ken Harris Int'l Union of Elevator Operators 44 Verbank Club Rd. Verbank, NY 12585 (845) 266-3078	03/20/2008 03/24/2008	03/28/2008			Completed Michael Desantos, answered by other local with McGoldrick.
27. Todd Helfrich Director Eastern Contractors Assn. 6 Airline Dr. Albany, NY 12205 (518) 869-0961	02/18/2008			02/28/2008	Completed Anthony Caropreso came in place of Mr. Helfrich to the morning focus group in the Labor Dept. Building 12.
28. John Henderson Vice President ABJ Fire Protection Co., Inc. 6500 New Venture Gear Drive East Syracuse, NY 13057 (315) 423-9766	03/05/2008 03/07/2008 03/28/2008	03/28/2008			Completed
29. Bruce Herman Deputy Commissioner for Workforce Development Building 12 ~ Room 588 Albany, NY 12240 (518) 485-6410	02/27/2008		02/27/2008		Completed Department of Labor Executive Staff. Met in Building 12.
30. Jeffrey B. Huffcut Sheet Metal Contractors Assn. 33 Brookside Avenue Endwell, NY 13760 (607) 797-1883	02/18/2008		03/06/2008		Completed Met with and interviewed Mr. Huffcut in Binghamton, NY on March 6, 2008.
31. Dennis Hughes President N Y State AFL-CIO 50 Broadway, 35 th Floor New York, NY 10004 (212)777-6040 (518) 436-8516	03/05/2008 03/20/2008 03/28/2008 03/31/2008				Not Completed [He is on the interested party list] Called and he was not in the office. To be in Albany office on 03/31/2008. Called the Albany office on 03/31/08 and left a message with his office assistant.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
32. Jason Iannelli Training Director Northeastern Joint Apprenticeship & Training 1513 Ben Franklin Highway Douglassville, PA 19518 (610) 326-2860	02/18/2008 03/05/2008				Not Completed Called twice, no return call.
33. Gloria James Vice President C. James Plumbing & Heating 1833 Bathgate Avenue Bronx, NY 10457 (718) 716-0065	03/20/2008 03/24/2008				Not Completed Left 2 messages. Left another message.
34. Mark Landau Sheet Metal Workers 718 Third Street Albany, NY 12206 (518) 489-1377	02/18/2008			02/28/2008	Completed Mr. Landau participated in the morning focus group in the Labor Dept. Building 12.
35. Neil Lawler Production Manager Lawman Heating & Cooling PO Box 599 Sackets Harbor, NY 13685 (315) 646-2919	02/18/2008		03/11/2008		Completed Had appointment in Syracuse on 03/11/2008. Also met with Penney Hazer, Associated Builders and Contractors.
36. Thomas Lyver Coordinator Metallic Lathers & Ironworkers 61-02 32nd Avenue Woodside, NY 11377 (718) 267-7500	04/10/2008			04/10/2008	Completed Met with Anthony Langan, Metal Lathers, NY City.
37. William Macchione Empire State Carpenters 270 Motor Parkway Hauppauge, NY 11788 (631) 952-9555	03/05/2008	03/06/2008			Completed Had telephone interview with Mr. Macchione.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
38. Edward J. Malloy President Greater NYC Building Trades 71 W. 23 rd St., Suite 501 New York, NY 10010 (212) 647-0705	03/05/2008 03/18/2008			04/10/2008	Completed Talked with Mr. Malloy who said he would like us to come down and address the NYC Building Trades Training Directors. Meeting set for 04/10, Diane Springer. [On the interested party list.]
39. Bob Mantello President Bricklayers #2 1743 Western Ave. Albany, NY 12203 (518) 456-5477 #6	02/18/2008			02/27/2008	Completed Sent Pat Tirino in his place to the focus group held in the NYSDOL Building in Albany on 02/28/2008.
40. John Maraia IBEW Local 363 67 Commerce Drive S. Harriman, NY 10926 (845) 783-3500	03/18/2008	03/31/2008			Completed Will call me back with Craig Jacobs. He is on the interested party list. Interviewed on 03/31/2008.
41. Gregory Martin Executive Sous Chef Mohonk Mountain House Mountain Rest Road New Paltz, NY 12561 (845) 256-2070	02/18/2008 03/05/1008 03/20/2008				Not Completed Left messages twice, no return call Called again and he was to call back on Saturday. Didn't call back.
42. Jack McCoy Program Manager, Trainees Cummins Engine Co., 4720 Baker Street Ext. Lakewood, NY 14750 (716) 456-2111	03/20/2008 03/24/2008 03/28/2008	03/28/2008			Completed Left message. Left 2 more messages.
43. James M. McGoldrick Elevator Constructors Local #1 JAC 47-24 27th Street Long Island City, NY 11101 (718) 707-9450	03/20/2008	03/20/2008			Completed Conducted telephone interview.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
44. Bill McSpedon International Representative NYS Operating Engineers-IUOE 100 South Swan Street Albany, New York 12210-1939 (518) 463-7551	02/18/2008			02/28/2008	Completed Attended Focus group held in the NYSDOL Building in Albany on 02/28/2008.
45. Dr. Jim Melius Director NYS Laborers Tri Funds 18 Corporate Woods Albany, NY 12211 (518) 449-1715	02/18/2008 03/05/2008	02/28/2008			Completed Left two messages for Dr. Melius with no reply. Mr. Donahugh responded to questions for the NYS Laborers on 02/28/2008.
46. Bruce Meringola Int'l. Union Operating Engineers LU #138 ETC LI 575 Horseblock Road Brookhaven, NY 11719 (631) 286-8677	03/14/2008	03/14/2008			Completed Conducted telephone interview.
47. Shamas Mian President Mian Contracting, Inc. 6202 12th Avenue Brooklyn, NY 11219 (718) 234-7956	03/20/2008				Not Completed Phone not in service, no forwarding number.
48. Dave Moak Apprentice Coordinator Empire State Carpenter's Apprentice. of Albany LU #370 27 Warehouse Row Albany, NY 12205 (518) 438-0901	02/18/2008		02/29/2008		Completed Had in-person meeting with Mr. Moak at his facility. Talked to three apprentices and they are very satisfied with all that they are learning.
49. Joanne B. Monez Director Tap Electric Metro, JV 160-55 Cross Bay Blvd., Ste.203 Howard Beach, NY 11414 (718) 738-4455	03/20/2008	03/20/2008			Completed Conducted telephone Interview.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
50. Mario J. Musolino Executive Deputy Commissioner NYS Department of Labor Building 12 ~ Room 592 Albany, NY 12240 (518) 457-4318	02/27/2008		02/27/2008		Completed Department of Labor Executive Staff. Met in Building 12.
51. John O'Shea President Start Elevator, Inc. 4350 Bullard Avenue Bronx, NY 10466 (718) 324-9166	03/20/2008 03/26/2008				Not Completed Left Message. Jack called back and left a message. Called Jack and left a message.
52. Daniel S. Palazzo Coordinator BAC LU#3 JATC (Rochester) 3750 Monroe Avenue Pittsford, NY 14534 (585) 385-9450	03/20/2008	03/20/2008			Completed Conducted phone interview on 03/20/2008.
53. Robert Pavlovich Vice President AWL Industries, Inc. 460 Morgan Avenue Brooklyn, NY 11222 (718) 388-5500	03/20/2008 03/24/2008				Not Completed Left messages.
54. Joseph Ramaglia Painters DC 9 45 West 14th St. New York, NY 10011 (212) 255-2950 ext. 137	03/20/2008 03/24/2008				Not Completed Was expected at NYC group meeting but was not present.
55. Dan Richardson President Local Union #203 Binghamton, NY 13901 (607) 722-4073	03/04/2008	03/04/2008			Completed Conducted phone interview on 03/04/2008.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
56. Spenser Rotherhouser Sheet Metal Workers Local #28 139-20 Jamaica Avenue Jamaica, NY 11435 (718) 297-5570	03/20/2008 03/24/2008			04/10/2008	Completed Met with Robin Delk part of NYC group.
57. Angelo Scagnelli Cement Masons' International 150-42 - 12th Avenue Whitestone, NY 11357 {718} 357-3750	03/20/2008 03/24/2008			04/10/2008	Completed Met with Paul Manto as part of NYC group.
58. Bruce A. Schroeder AFSCO Fence Supply 185 Troy Schenectady Rd Latham, NY 12803 (518) 783-0395	02/18/2008 03/05/2008				Not Completed Invited to the focus group in Albany but did not attend. Called again on 03/05/2008
59. George K. Schuck JAC IBEW Electrical LU #3 158-11 Harry VanArsdale, Jr. Flushing, NY 11365 (718) 591-2000	03/20/2008 03/24/2008			04/10/2008	Not Completed Is part of NYC group – did not attend.
60. M. Patricia Smith Commissioner NYS DOL Building 12 ~ Room 500 Albany, NY 12240	02/18/2008		02/27/2008		Completed Department of Labor Executive Staff. Met in Building 12.
61. Kathleen Stilsing Secretary/Treasurer Stilsing Electric, Inc. 555 South Street Rensselaer, NY 12144 (518) 463-4451	02/18/2008 03/05/2008	03/05/2008			Completed Invited to focus group but couldn't make it. Conducted telephone interview.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
62. Richard Strusienski, Sr. Apprentice Coordinator Delphi Thermal & Interior 200 Upper Mountain Road Lockport, NY 14094 (716) 439-3401	03/19/2008	03/19/2008			Completed Conducted telephone interview.
63. Connie Tambe Vice President Tambe Electric, Inc. 614 Fishers Run Victor, NY 14564 (585) 924-8700	03/19/2008 03/24/2008				Not Completed Left message, supposed to call back on 03/20/2008. Never called back. Left another message on 03/24/2008.
64. Donald Thompson Office Manager Lawman Heating & Cooling, Inc. 5813 Stone Hill Road Lakeville, NY 14480 (585) 346-3060	02/18/2008		03/11/2008		Completed Was supposed to come to the focus group in Albany but didn't show. Had appointment for Syracuse on 03/11/2008. Also met with Penny Hazer, ABC.
65. Jack Torpey Business Manager Steamfitters Local 638 32 -32 48 th Avenue Long Island City, NY 11101 (718) 392-3420	03/20/2008 03/24/2008				Not Completed Is part of NYC group – did not attend.
66. Ed Walsh President NYS Iron Workers Dist. 505 White Plains Rd., Suite 200 Tarrytown, NY 10591 (914) 332-4430	03/20/2008 03/24/2008 03/28/2008	03/28/2008			Completed Called back and requested a copy of the survey so he could distribute it to all the locals in the state. Ed also said he would encourage all the NYC area locals to be at the meeting.
67. Andrew White Director Westchester- Fairfield JATC LU #3 IBEW 200 Bloomingdale Road White Plains, NY 10605 (914) 946 0472	03/20/2008	03/20/2008			Completed Conducted telephone interview on 03/20/2008.

Name & Address	Contact Date	Phone Interview	Face to Face Appt. Date	Focus Group Date	Comments
68. Richard A. Williamson Bricklayers & Allied Craftwrkrs#3, NiagFalls/Buffalo JATC 2350 North Forest Road, Ste. Getzville, NY 14068 (716) 636-6100 JATC (716) 823-4545	03/19/2008 03/24/2008				Not Completed Left 3 messages.
69. James R. Yattaw Plumber & Steamfitters JAC LU# 7 308 Wolf Road Latham, NY 12110 (518) 785-9844	02/18/2008			02/28/2008	Completed Sent Vince Scovello to the Building 12 focus group with the Unions.
70. Yue F. Yee Deputy Director Workforce Dev. & Training NYS DOL Building 12 ~ Room 450 Albany, NY 12240 (518) 457-0380	02/27/2008		02/27/2008		Completed Department of Labor Executive Staff. Met in Building 12.
71. Joseph Zanghi Apprentice Coordinator GM Powertrain Division- Tonawanda Engine Plant 2995 River Road Buffalo, NY 14207 (716) 879-5680	03/19/2008	03/19/2008			Completed Talked with Richard Dyet. Mr.Zanghi was in a serious accident and may not be back.

Appendix C

Stakeholders Survey Guide

3. In your opinion, what changes need to be made in New York’s Apprenticeship system to make it more effective?

A. STRUCTURE, ADMINISTRATION & FUNDING

<input type="checkbox"/> Structure
<input type="checkbox"/> Regulations
<input type="checkbox"/> Staffing Patterns
<input type="checkbox"/> Communication
<input type="checkbox"/> Management & Oversight
<input type="checkbox"/> Training

<input type="checkbox"/> State Monitoring
<input type="checkbox"/> Registration Process
<input type="checkbox"/> Policies, Practices, & Procedures
<input type="checkbox"/> Materials, Forms (need for electronic processing)
<input type="checkbox"/> Reports
<input type="checkbox"/> Funding
<input type="checkbox"/> Other

B. RECRUITMENT/MARKETING

<input type="checkbox"/> Outreach

<input type="checkbox"/> Pre-Apprenticeship Programs
<input type="checkbox"/> School-to-Work Programs
<input type="checkbox"/> Women/Minorities - Participation
<input type="checkbox"/> Non-Traditional Apprenticeship Occupations
<input type="checkbox"/> Other

C. TRAINING/RELATED INSTRUCTION

<input type="checkbox"/> Competency-Based Training
<input type="checkbox"/> National Skills Industry Standards
<input type="checkbox"/> E-Learning

<input type="checkbox"/> Distance Learning
<input type="checkbox"/> Other

D. RELATIONSHIPS/PARTNERSHIPS

<input type="checkbox"/> Relationship with Workforce Investment System
<input type="checkbox"/> Education System
<input type="checkbox"/> Economic Development
<input type="checkbox"/> Other

E. PERFORMANCE

<input type="checkbox"/> Retention

Questions regarding this survey should be directed to:

John M. Griffin
Consultant to Coffey Consulting, LLC
928 Brown Road
Esperance, New York 12066
Phone: (518) 875-6692 phone
Cell: (518) 683-0828
jgriffbat@aol.com

Or

Bernard L. Antkowiak
Vice President – Operations
Coffey Consulting, LLC
4720 Montgomery Lane, Ste. 1050
Bethesda, Maryland 20814
Phone: (301) 907-0900
Fax: (301) 907-2925
Email:
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Appendix D

State Survey Instrument

STATE: _____ Apprenticeship and Training Program
Registration: SAC or OA (BAT) **Date:** _____

Survey Participant:

Name:		Yrs. in Position:	
Title:			
Organization:			
Address:			
Suite or Rm. #:			
City:		State:	Zip:
Telephone No.:		Fax No.:	
E-mail:			

SAC States Only:

What is the reporting structure in your state? *EXAMPLE: Governor; Secretary of Labor, Licensing and Regulation; Commissioner of Labor and Industry; State Director of the Apprenticeship and Training Program*

1	
2	
3	
4	
5	

What is the staff structure in the Apprenticeship Office? (Request a copy of the organizational chart.)

EXAMPLE:

- State Director of the Apprenticeship and Training Program*
- Manager of the Apprenticeship and Training Program*
- Three and one-half (3½) Apprenticeship and Training Representatives (3 full-time and 1 half-time)*
- One (1) Apprenticeship and Training Assistant*

	Position/Title*	FTE	Principle Responsibility	Industry or Geographic
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

*Please indicate if the position is vacant and for how long.

State Director:

Name:		Yrs. in Position:
Title:		
Organization:		
Address:		
Suite or Rm. #:		
City:	State:	Zip:
Telephone No.:	Fax No.:	
E-mail:		

What are the State Director's responsibilities?

1	
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State Apprenticeship Program Information:

1. What is the address of the state apprenticeship website?

2. How long have the current structure and line of reporting existed, and if less than five (5) years, what was the previous line of reporting?

3. How many registered apprenticeship programs exist in your state? (Please indicate breakdown by industry.)

4. How often are registered apprenticeship programs reviewed or assessed? (Please indicate methodology and note findings.)
a. Please describe your monitoring process and provide a copy of your monitoring guide and instrument.
b. How are the results of the monitoring visit shared with the sponsor?
c. What types of technical assistance is offered at this time?
d. What is the process for follow-up regarding any issues identified during monitoring?

5. Have new registered apprenticeship programs been proposed or added? (Please indicate industry.)
<input type="checkbox"/> Yes <input type="checkbox"/> No
a. When were these new programs added?
b. How are they marketed?
c. Do you have any performance outcomes on these new programs?

6. What is the current number of registered apprentices?
a. Is this number an increase or decrease over previous years? What industries are these changes in?
b. How many complete training and graduate each year?
c. Please indicate the number of registered apprentices per year for the last five years and the number of graduates.

7. Does your state have an electronic Apprenticeship Information System?
<input type="checkbox"/> Yes (If yes, what do you use?)
<input type="checkbox"/> No (If no, how do you collect data?)

8. Do you use the Office of Apprenticeship's electronic system (formerly called RAIS, now called RAPIDS)?
<input type="checkbox"/> Yes
<input type="checkbox"/> No (If no, what do you use?)

9. In some states a record of each segment of the work process for the trade/occupation is kept by the apprentice and signed off on by the supervisor to record what each apprentice has learned on-the-job. This ensures that each apprentice has knowledge in every segment of the trade/occupation. Does your state use such a record keeping system?
<input type="checkbox"/> Yes (If yes, please describe.)
<input type="checkbox"/> No

10. In your state do you recognize competency-based vs. time-based apprenticeship?
<input type="checkbox"/> Yes (If yes, what criteria do you use for approval of a competency-based program?)
a. Are the competency-based programs limited to specific trades/occupations?

11. In your state, do you use National Skills Standards to develop curriculum for programs?
<input type="checkbox"/> Yes (If yes, please provide details and specify which trades/occupations use National Skills Standards.)

14. What is the composition of the SAC?
a. How large is the SAC?
b. What is the make-up of the SAC? (Please include number and affiliation.)
• Labor
• Management
• Public
• Education
• Workforce
• Other
c. Are there any vacancies on the SAC?
<input type="checkbox"/> Yes (How many and for how long?)
<input type="checkbox"/> No
d. How is membership determined?
e. Who appoints the members to the SAC?

15. What is the relationship between the State Office of Apprenticeship and the Council? (Does the staff lead and council follow; who sets the council's agenda; and, is communication open among all parties?)

16. How frequently does the SAC meet?
Describe:

Apprenticeship Registration Agency

At this point we would like to gather information about funding for apprenticeship and its sources.

17. What is the state's current annual budget for apprenticeship?
<ul style="list-style-type: none"> • Requested \$ • Approved \$
a. What does funding support (i.e., staffing, Related Instruction)? What amount for each category?
b. Do you leverage other resources to augment costs associated with Related Instruction? If so, what are they?
c. Please describe the funding priorities used to determine the requested amount.
d. Was there is a difference between requested and approved amounts? If so, how was the spending realigned?

18. What is the history of state funding for apprenticeship for the last five (5) years?		
Year	Funded Amount	Percentage (%) + or – Over Previous Year

19. Besides the state, what other sources of funding does the Office of Apprenticeship draw upon? (e.g., WIA funds; U. S. DOL grants; industry grants; and/or union grants – include approximate amount or % of funds from the other sources.)

20. Is a fee charged to an apprenticeship sponsor?
<input type="checkbox"/> Yes (What is the basis for the fee?)
Describe:
<input type="checkbox"/> No

21. Are fees charged per apprentice?
<input type="checkbox"/> Yes (What is the basis for the fee?)
Describe:
<input type="checkbox"/> No

OA (BAT) States Only

United States Department of Labor, Office of Apprenticeship:

State Director:

Name:		Yrs. in Position:	
Title:			
Organization:			
Address:			
Suite or Rm. #:			
City:		State:	Zip:
Telephone No.:		Fax No.:	
E-mail:			

What are the State Director's responsibilities?

1	
2	
3	
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What is the staff structure in the Apprenticeship Office? (Request a copy of the organizational chart.)

	Position/Title*	FTE	Principal Responsibility	Industry or Geographic
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

*Please indicate if the position is vacant and for how long.

22. Is there an advisory committee to apprenticeship in your state?
<input type="checkbox"/> YES (Please answer questions a through e, 20, and 21.)
<input type="checkbox"/> NO (Please proceed to Question 22.)
a. How large is the advisory committee?
b. What is the make-up of the advisory committee? (Please include number and affiliation.)
• Labor Unions
• Open Shops
• Management
• Public
• Education
• Workforce
• Other

c. Are there any vacancies on the advisory committee?
<input type="checkbox"/> Yes (How many and for how long?)
<input type="checkbox"/> No
d. How is membership determined?
e. Who appoints the members to the advisory committee?

23. What is the relationship between the Office of Apprenticeship and the advisory committee? (Does the staff lead and council follow; who sets the council's agenda; and, is communication open between all parties?)

24. How frequently does the advisory committee meet?
Describe:

The following questions are applicable to both SAC and OA States

25. Best Practices – Please list and describe the four (4) best practices that produce positive results in your state. In the description, please include the following information:

- Summary
- Evaluative Questions:
 - How many people or industries benefited?
 - How hard is it to replicate?
 - Do you conduct periodic reviews of the best practice? If so, what is the methodology and how often?

Best Practice 1

Name:	How long in use?
Summary:	
Evaluative Questions:	

Best Practice 2

Name:	How long in use?
Summary:	
Evaluative Questions:	

Best Practice 3

Name:	How long in use?
Summary:	
Evaluative Questions:	

Best Practice 4

Name:	How long in use?
Summary:	
Evaluative Questions:	

26. Please list and describe the pitfalls, barriers and other obstacles your state has run into that have hindered the effectiveness of your apprenticeship program. In assessing the barriers and obstacles experienced, identify, if possible, their source (internal or external). If there is a potential remedy, please note the steps needed to overcome the barrier.

Barrier 1

Name:	How long?
Describe:	

Barrier 2

Name:	How long?
Describe:	

Barrier 3

Name:	How long?
Describe:	

Barrier 4

Name:	How long?
Describe:	

Education:

27. Does your state have a partnership with education?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

28. Is this a formal partnership, utilizing a document such as a Memorandum of Understanding (MOU) or mandated by law?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

29. To what level does the partnership extend? (K-12; community and technical colleges; universities, etc.)

30. What delivery methods does your state use for Related Instruction?

31. Who provides the Related Instruction?

32. How often are the methods for Related Instruction evaluated?

33. Is there a partnership/relationship with the community college system in your state?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

34. Does your state use distance learning – Electronic or otherwise?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

Pre-Apprenticeship

35. Does your state have a pre-apprenticeship program and is there a direct link to the registered apprenticeship system in your state?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

36. Is the pre-apprenticeship program linked to Job Corps in your state?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

37. Does the relationship with Job Corps extend to the Outreach and Admissions/Career Transition Services counselors?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

School-to-Apprenticeship (School-to-Work)

38. Does your state utilize a School-to-Apprenticeship program?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

39. Are there any programs in your state for disadvantaged youth and if so, are they local or statewide?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

Integration with WIA

40. Is the state apprenticeship program integrated with the Workforce Investment Act?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Describe:

41. Is the state apprenticeship program represented on the state and/or local Workforce Investment Boards?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

42. Does the state apprenticeship program have a relationship with the state's One-Stop system?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

43. Does the apprenticeship program receive monies through WIA?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
a. If yes, for what does WIA funding support?
b. Are WIA funds used for pre-apprenticeship programs?
<input type="checkbox"/> Yes
<input type="checkbox"/> No

Marketing of Apprenticeship

We would like to know how you promote apprenticeship in your state and we are interested in your assessment of the effectiveness of those promotional efforts. (Request a copy of all marketing materials available.)

44. Does the apprenticeship program have a marketing plan?
<input type="checkbox"/> Yes (Describe its components.)
<input type="checkbox"/> No (Go to Question 48)
Explain:

45. Who designed the marketing plan? (Was it an outside firm; staff designed and driven; what role did the advisory committee or apprenticeship council play?)

46. How would you rate the marketing plan's effectiveness? (Explain why.)
<input type="checkbox"/> Highly effective <input type="checkbox"/> Moderately effective <input type="checkbox"/> Don't know <input type="checkbox"/> Ineffective <input type="checkbox"/> Highly ineffective
Explain:

47. What would you want to see in an effective marketing plan?
Describe:

48. Have the apprenticeship programs in your state been successful in efforts to recruit women and minorities?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
a. What methods were used to attract or encourage women and minorities to apply?

49. Has your state been successful in promoting non-traditional (outside the building trades) apprenticeship programs?
a. If so, please list non-traditional occupations.
b. Specifically, what have you done to reach out to these industries?

50. List what industries you consider growth industries in your state. (Indicate the level of growth and impact on state economy.)		
Industry	Percentage (%) of Growth	Percentage (%) of State Economy

Completion Rates

51. What is your state's current rate of completion for apprenticeships for the most recent year available, and the previous four (4) years?
a. What would you consider a good completion rate percentage?

52. How many apprenticeship applicants did your state have for the most recent year, and the previous four (4) years?

53. After completion of the apprenticeship program, do you conduct follow-up surveys with students and employers, if so how frequently?

54. Do you find a difference in completion rates between large and small programs?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

55. Do you find a difference in completion rates between individual and group, joint and non-joint programs?
<input type="checkbox"/> Yes
<input type="checkbox"/> No
Explain:

State Apprenticeship Training Survey
Coffey Consulting, LLC

State apprenticeship agencies have regulations, policies and procedures. We would appreciate your sending us copies of these items.

Please send to:

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Consultant to Coffey Consulting, LLC
928 Brown Road
Esperance, New York 12066
Phone: (518) 875-6692 phone
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Appendix E

**USDOL Proposed Rule;
29 CFR Part 29**

[Federal Register: December 13, 2007 (Volume 72, Number 239)]
[Proposed Rules]
[Page 71019-71038]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr13de07-24]

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Part V

Department of Labor

29 CFR Part 29

Apprenticeship Programs, Labor Standards for Registration, Amendment
of Regulations; Proposed Rule

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DEPARTMENT OF LABOR

29 CFR Part 29

RIN 1205-AB50

Apprenticeship Programs, Labor Standards for Registration,
Amendment of Regulations

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of Proposed Rulemaking (NPRM); Request for comments.

SUMMARY: The Department of Labor (DOL or Department) is issuing a Notice of Proposed Rulemaking (NPRM) to update the regulations that implement the National Apprenticeship Act of 1937. 29 U.S.C. 50. On February 18, 1977, the Department promulgated 29 Code of Federal Regulations (CFR) part 29 to establish, for certain Federal purposes, labor standards, policies and procedures for the registration, cancellation and deregistration of apprenticeship programs, and apprenticeship agreements. Part 29 also provided for the recognition of a State Apprenticeship Agency as an agency authorized to register local apprenticeship programs for Federal purposes, and for the revocation of such recognition. In the succeeding 30 years, the American economy and workforce have changed significantly. The proposed rule addresses those changes by both making the procedures for apprenticeship program registration more flexible and by strengthening oversight of program performance. The proposed rule also updates part 29 to incorporate gender neutral terms and technological advances in the delivery of related technical instruction. Such revisions will enable DOL to promote apprenticeship opportunity in the 21st century while continuing to safeguard the welfare of apprentices.

DATES: The Department invites interested persons to submit comments on this proposed rule. To ensure consideration, comments must be in writing and must be received on or before February 11, 2008.

ADDRESSES: You may submit comments, identified by Regulatory Information Number (RIN) 1205-AB50, by either one of the two following methods:

Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow

the Web site instructions for submitting comments.

Mail/Hand Delivery/Courier: Written comments, disk, and CD-Rom submissions may be mailed or delivered by hand delivery/courier to Thomas M. Dowd, Administrator, Office of Policy Development and Research, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-5641, Washington, DC 20210.

Instructions: Please submit one copy of your comments by only one method. All submissions received must include the agency name, as well as RIN 1205-AB50.

Please be advised that the Department will post all comments received on <http://www.regulations.gov> without making any change to the

comments, including any personal information provided. The <http://www.regulations.gov> Web site is the Federal e-rulemaking portal and all

comments posted there are available and accessible to the public. Therefore, the Department recommends that commenters safeguard their personal information such as Social Security Numbers, personal addresses, telephone numbers, and e-mail addresses included in their comments. It is the responsibility of the commenter to safeguard his or her information.

Also, please note that due to security concerns, postal mail delivery in Washington, DC, may be delayed. Therefore, in order to ensure that comments receive full consideration, the Department encourages the public to submit comments via the Internet as indicated above.

Docket: The Department will make all the comments it receives

available for public inspection during normal business hours at the above address. If you need assistance to review the comments, the Department will provide you with appropriate aids such as readers or print magnifiers. The Department will make copies of the proposed rule available, upon request, in large print or electronic file on computer disk. The Department will consider providing the proposed rule in other formats upon request. To schedule an appointment to review the comments and/or obtain the proposed rule in an alternate format, contact the office of Thomas M. Dowd at (202) 693-3700 (VOICE) (this is not a toll-free number) or (877) 889-5627 (TTY/TDD). You may also contact Mr. Dowd's office at the address listed above.

FOR FURTHER INFORMATION CONTACT: Sherril Hurd, Acting Regulation Unit Team Leader, Office of Policy Development and Research, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-5641, Washington, DC 20210; E-mail hurd.sherril@dol.gov; Telephone (202) 693-3700 (this is not a toll-free number).

Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: This preamble is divided into three sections. Section I provides general background information on the development of the proposed revisions to 29 CFR part 29. Section II is a section-by-section analysis of the proposed regulatory text. Section III covers the administrative requirements for this proposed rulemaking as mandated by statute and executive order.

I. Background

The National Apprenticeship Act of 1937 authorized DOL to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, and to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship * * *

In the 30 years since the Department promulgated the existing standards at 29 CFR part 29 that provide for the registration of apprenticeship programs, technological advances, demographic changes, and globalization have significantly altered the context in which apprenticeship programs operate. The revision of part 29 will enable the National Apprenticeship System to keep pace with changes in the economy and corresponding workforce challenges, continue apprenticeship's vital role in developing a skilled, competitive workforce, and further promote registered apprenticeship as an important talent development strategy offered through the public workforce investment system. For example, the proposed revisions enhance flexibility in the requirements for provision of related technical instruction, permit competency-based progression through an apprenticeship program, and establish requirements for education and training of apprenticeship instructors that align with developments in the workforce and education systems.

In developing the proposed rule, DOL consulted extensively with its

Advisory Committee on Apprenticeship (ACA). Chartered under the Federal Advisory Committee Act (FACA), the ACA provides advice and recommendations to the Secretary of Labor (Secretary) on a wide range of matters related to apprenticeship. The ACA is comprised of approximately 30 members with equal representation of employers, labor organizations, and the public. In June

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2006, the ACA unanimously adopted the draft regulatory text developed by the Committee's Work Group on Regulations and Competency-Based Training and, in August 2006, forwarded the recommended text to the Department. The ACA's recommendations focused on the provisions of existing part 29 (Sec. Sec. 29.1 through 29.11) that pertain to apprenticeship program standards, registration and deregistration.

In addition to updating the provisions that address DOL's registration and oversight of apprenticeship programs, the Department proposes to revise the provisions of existing part 29 (Sec. Sec. 29.12 and 29.13) that pertain to administration of the National Apprenticeship System. The Department drafted the proposed regulatory text with input from the National Association of State and Territorial Apprenticeship Directors (NASTAD) and from State Apprenticeship Agencies. The proposed provisions effectuate the Department's mandate under the National Apprenticeship Act by establishing clear accountability within the National Apprenticeship System.

II. Summary and Discussion of Regulatory Provisions: Labor Standards for the Registration of Apprenticeship Programs

Throughout the proposed rule, the name of the organization in DOL that is responsible for apprenticeship has been changed from the Bureau of Apprenticeship and Training (BAT) to reflect its current name, the Office of Apprenticeship. All language that was gender specific has been modified to a gender-neutral term (e.g., journeyman has been changed to journeyworker).

Purpose and Definitions (Sec. Sec. 29.1 and 29.2)

Proposed revisions in Sec. 29.1(b) add an additional purpose to this section to ``promote apprenticeship opportunity.''' This addition would further articulate the Department's mandate under the National Apprenticeship Act of 1937 to expand the National Apprenticeship System. In recent years, the Department has engaged in several pilot and demonstration programs to expand apprenticeship opportunities for workers in industries that have not traditionally used the registered apprenticeship model. This proposed addition would implement the Department's intention to further expand registered apprenticeship into new industries and occupations, and to continue to align registered apprenticeship with the changing workforce needs of business and industry.

The Department proposes to delete existing Sec. 29.1(c), which provides contact information for individuals requesting further information about part 29. The information in this paragraph is out-of-date. The Department has determined that contact information should not be codified, given the rate at which it becomes obsolete, so Sec. 29.1(c) is proposed for deletion.

Proposed Sec. 29.2 clarifies and redesignates existing definitions

and establishes new definitions for certain terms used in the registration of apprenticeship programs and in the ongoing operations of the National Apprenticeship System. Proposed Sec. 29.2 organizes the definitions alphabetically. Thus, there is no longer a need to designate paragraphs in this section using an alphanumeric format. In addition, the proposed rule adds new definitions for the terms ``competency,' ' ``electronic media,' ' ``interim credential,' ' ``journeyworker,' ' ``Office of Apprenticeship,' ' ``provisional registration,' ' ``State office,' ' ``supplemental instruction,' ' ``technical assistance,' ' and ``transfer.' ' Most of the revisions and additions reflect changes that State Apprenticeship Agencies, apprenticeship program sponsors, and the Department have incorporated into the National Apprenticeship System in the last decade. Those proposed definitions provide underpinnings for proposed provisions that offer greater flexibility for registered apprenticeship programs to address changing workforce demands.

The Department proposes to carry forward the following existing definitions for terms defined in the current regulations:

``administrator,' ' ``apprentice,' ' ``apprenticeship program,' ' ``cancellation,' ' ``Department,' ' ``employer,' ' ``Federal purposes,' ' ``registration of an apprenticeship agreement,' ' ``registration of an apprenticeship program,' ' ``sponsor,' ' and ``State.' ' Accordingly, the Department is not inviting comment on those terms.

Proposed Sec. 29.2 revises the existing definitions for ``apprenticeship agreement' ' and ``apprenticeship committee' ' to clarify that an apprenticeship agreement is between an apprentice and either the apprentice's program sponsor, or an apprenticeship committee acting as an agent for the program sponsor. Program sponsor is a more appropriate term than ``employer,' ' which is used in the current regulations for the entity with which the apprentice enters an apprenticeship agreement because the apprenticeship program sponsor is the entity that signs the apprenticeship agreement. The revision to ``apprenticeship committee' ' clarifies that the committee acts as an agent for the sponsor in the administration of an apprenticeship program.

Proposed Sec. 29.2 revises the existing term ``certification' ' to be ``certification or certificate' ' and revises the existing definition. The proposed definition carries forward the existing provisions for certification of National Guidelines for Apprenticeship Standards and certification that an individual is eligible for probationary employment as an apprentice under a registered apprenticeship program. The proposed definition also incorporates two circumstances (issuance of a certificate that documents completion of apprenticeship, as provided in Sec. 29.5(b)(15), and issuance of a Certificate of Registration, as provided in Sec. 29.3(f)) that correspond to existing requirements but have not been previously included in the definition of certification. The proposed definition also adds the circumstance where a Registration Agency determines that an apprentice has successfully met the requirements to receive an interim credential. This added component of the definition facilitates compliance with proposed Sec. 29.5(b)(15), which provides for the issuance of an interim credential.

Proposed Sec. 29.2 adds definitions for two related terms, ``interim credential' ' and ``competency.' ' These definitions would be added because, in the past 6 years, business, industry, and labor have requested a more flexible and accountable National Apprenticeship System that meets their workforce development needs. To address these

requests, the Department conducted pilot programs in which sponsors measured apprentices' attainment of certain skills and competencies rather than using the traditional, time-based approach.

To this end, the Department has defined ``interim credential'' as ``a document issued by the Registration Agency upon request of the appropriate sponsor as certification of competency attainment by an apprentice;'' and ``competency'' as ``the attainment of manual or technical skills and knowledge, as specified by an occupational standard.'' Rather than providing that an apprentice could only receive one credential (certificate of completion of apprenticeship), which is the norm under a time-based apprenticeship approach, the proposed definitions and the associated regulatory provisions would enable apprentices to obtain portable credentials

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commensurate with increasing skills and competencies acquired and demonstrated throughout an apprenticeship program.

These proposed definitions also implement the Department's intention to provide multiple points of entry to and exit from apprenticeship programs, and would codify the Department's existing practice of registering apprenticeship programs that issue interim credentials. These provisions will formalize the process used in the pilot programs and further promote apprenticeship opportunities to employees and employers that have not previously participated in the National Apprenticeship System.

Proposed Sec. 29.2 adds a new definition for ``electronic media'' for use in related technical instruction and defines the term to mean ``media that utilize electronics or electromechanical energy for the end user (audience) to access the content, and includes, but is not limited to, electronic storage media, transmission media, the Internet, extranet, lease lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic media and/or interactive distance learning.'' This definition provides for increased flexibility in the related technical instruction component of an apprenticeship program and enables the National Apprenticeship System to keep pace with the changing dynamics and progressive nature of education through distance learning and multiple delivery approaches. Additionally, the proposed definition would clarify that related technical instruction in the National Apprenticeship System is not confined to a physical classroom setting. The Department based this proposed definition on consultations with the ACA and NASTAD.

Proposed Sec. 29.2 adds a new definition, ``journeyworker,'' which is ``a worker who has attained a level of skill and competency recognized within an industry as having mastered the skills and competencies required for the occupation.'' The Department proposes to add this definition to provide a designation of a level of skill, ability and knowledge possessed by an individual in a specific occupation, as defined and used by employers, industry, and labor, which is recognized as having attained mastery of that occupation. The definition is based on industry norms and common language used in the National Apprenticeship System.

Proposed Sec. 29.2 adds a new term, the ``Office of Apprenticeship,'' which is defined as ``the office designated by the Employment and Training Administration to administer the National Apprenticeship System or its successor organization.'' This definition would be added in anticipation of any future name changes to the DOL

entity responsible for oversight of the National Apprenticeship System. The definition is based on DOL's organizational structure for administration of the National Apprenticeship System.

Proposed Sec. 29.2 adds a new term, ``provisional registration'' which refers to the 1 year provisional approval of a newly registered apprenticeship program. This definition has been added to facilitate compliance with Sec. 29.3(g), through which the Department seeks to ensure that new program sponsors are focused on development of successfully functioning apprenticeship programs.

Further, proposed Sec. 29.2 expands the current definition of ``Registration Agency,'' by listing the primary responsibilities of a registration agency to facilitate compliance with the requirements of this part.

Proposed Sec. 29.2 revises the current definition of ``related instruction,'' by adding ``related technical instruction'' as part of the defined term. The proposed text specifies the methods by which related instruction may be provided and adds distance learning through ``electronic media'' as defined in this section to the instructional methods that traditionally have been used. The revisions are based on the need for clarification of what constitutes related technical instruction and the acceptable methods for delivering related instruction.

Proposed Sec. 29.2 revises the existing definition of ``Secretary'' to mean the Secretary of Labor or any person designated by the Secretary. This revision explains who has authority to implement the revisions of this part.

The Department proposes to revise the definitions for State Apprenticeship Agency and State Apprenticeship Council by separately defining the two entities. ``State Apprenticeship Agency'' is defined as ``an agency of a State government that has responsibility and accountability for apprenticeship within the State.'' The proposed revisions provide that State Apprenticeship Agencies may seek recognition and authority from the Office of Apprenticeship to register and oversee apprenticeship programs and agreements for Federal purposes. The proposed revisions also reflect the Department's view that it is best to recognize only State government entities, in order to ensure accountability for oversight and management of a State's apprenticeship system for Federal purposes.

The Department proposes to separately define ``State Apprenticeship Council'' to help underscore the role a council would play in a State Apprenticeship Agency. The proposed revisions clarify that a State Apprenticeship Council is ineligible for recognition as the State's Registration Agency. The definition is based on the Department's view that it is best to recognize only State government agencies as Registration Agencies. The proposed definition also clarifies that a State Apprenticeship Council operates at the direction and discretion of the State Apprenticeship Agency. Depending on this direction and discretion, a State Apprenticeship Council may provide regulatory or advisory functions for the operation of the State's apprenticeship system.

Proposed Sec. 29.2 adds a definition for ``State office,'' to facilitate compliance with proposed Sec. 29.13(b)(3) and the requirements for recognition of a State Apprenticeship Agency. The definition is based on the need to have a single identified point of contact with whom the Department will conduct the business of the National Apprenticeship System.

Proposed Sec. 29.2 adds a new term, ``supplemental instruction,''

which is defined as ``instruction in non-core related requirements, for example, job site management, leadership, communications, first-aid/CPR, field trips, and new technologies/processes.'' This new definition would facilitate compliance with proposed Sec. 29.5(b)(4) and 29.7(e). The Department proposes this definition to make it clear that supplemental instruction focuses on non-core job requirements in response to requests from business, industry, and labor seeking clarification on the difference between related technical instruction and supplemental instruction.

Proposed Sec. 29.2 adds a new term, ``technical assistance,'' to clarify the types of guidance and assistance that Registration Agencies provide to program sponsors for the implementation of this part. This new definition would spell out the guidance that a Registration Agency would provide to help program sponsors comply with the requirements of this part.

Proposed Sec. 29.2 adds a new term, ``transfer,'' which is defined as ``a shift of apprenticeship registration from one program to another, or from one employer within a program to another employer within that same program. Transfer may be initiated either by the

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employer, the sponsor, or the apprentice.'' The definition has been added to correspond to the process addressed in proposed Sec. 29.5(b)(13) for the transfer of an apprentice between and within apprenticeship programs. Apprentices' ability to transfer reduces the need for cancellation and re-registration of an apprentice, thereby promoting continuity of participation in apprenticeship.

Eligibility and Procedure for Registration of an Apprenticeship Program (Sec. 29.3)

Section 29.3 covers the eligibility criteria and procedure for registering a program of apprenticeship. The proposed revisions and additions to Sec. 29.3 update the process by which the Department or a recognized State Apprenticeship Agency determines a program's eligibility for registration and oversees the operations of registered apprenticeship programs. While the substance of the proposed Sec. 29.3 is based largely on the existing rule, some changes are proposed in order to further ensure high quality among all registered apprenticeship programs. Additionally, the revisions will assist program sponsors by providing for early intervention and technical assistance to enable program sponsors to continue their apprenticeship programs. Further, these provisions provide program sponsors with the means to measure apprentice progress and also encourage the development of a closer working relationship between the apprenticeship sponsor and Registration Agency staff.

The Department proposes changes in paragraphs (a), (c), and (f) of proposed Sec. 29.3 to update and clarify terms, which are not intended to change the substance of those paragraphs. Proposed Sec. 29.3(b) is a revised statement of the criteria for apprenticeship program and agreement registration by a Registration Agency, that is substantially the same as the current regulation.

Proposed Sec. 29.3(d) establishes a requirement for the appropriate Registration Agency to be notified within the first 45 days of an apprentice's probationary employment. This is a change from the existing 90-day requirement. Proposed Sec. 29.3(e) would require

program sponsors to notify the appropriate Registration Agency within 45 days of the completion of an apprenticeship program and notice to the Registration Agency of transfers and the cancellation or suspension of any apprenticeship agreement with a statement of the reasons therefore. This would be a change to existing Sec. 29.3(e), which simply requires ``prompt'' notice to the ``appropriate registration office.'' The Department proposes these changes to Sec. Sec. 29.3(d) and 29.3(e) to require specific and consistent timeframes which are intended to enhance the efficiency of the National Apprenticeship System.

Proposed Sec. 29.3(g) is a new provision which establishes provisional approval of 1 year for new programs that the Registration Agency preliminarily determines comply with part 29. The Department would add this paragraph to increase the success rate of new programs by prescribing a review after the first year of program registration. Also, provisional registration would potentially discourage applications from prospective sponsors that do not have a long-term commitment to provide employment and training for registered apprentices.

Proposed Sec. 29.3(h) is another new provision which establishes the process by which a registered program would move beyond provisional approval and provides for subsequent reviews at the completion of the first full training cycle, normally a 5-year period. Proposed paragraphs (g) and (h) are intended to ensure adequate oversight over apprenticeship programs and to further improve quality in the National Apprenticeship System.

Proposed Sec. 29.3(i) addresses the timeframe for processing a sponsor's request for modification of a registered program, to improve customer service and promote consistency across the National Apprenticeship System. The proposed rule would require the Registration Agency to complete action on the request, whether by approving or by rejecting with appropriate guidance, within 45 days of receipt. This would differ from the existing rule, Sec. 29.3(g), which simply provides for ``prompt'' submission of requests for modification and sets no timeframe for response from the Registration Agency and provides no guidance on what the Registration Agency must do to process the application or modification.

Proposed Sec. 29.3(j) would revise the timeframe set by existing Sec. 29.3(h), ``not less than 30 days nor more than 60 days,'' to provide that a union has 45 days to submit comments about a program application proposed by an employer or employers' association, where a union has the right, under a collective bargaining agreement or other instrument, to participate in an apprenticeship program but does not participate in any manner in the operation of substantive matters of the apprenticeship program. This reduced timeframe would further improve efficiency in the program registration process.

Proposed paragraph Sec. 29.3(k) simply carries forward the provisions of existing Sec. 29.3(i), which covers program registration by an employer or group of employers where the employees to be trained do not have a collective bargaining agent, and adds employer associations to the groups that can propose programs for registration.

Criteria for Apprenticeable Occupations (Sec. 29.4)

Proposed Sec. 29.4 updates the criteria for determining when an occupation qualifies as apprenticeable. Based on over 30 years of experience in implementing the current regulations, the Department

proposes to revise the existing introductory language to indicate that apprenticeable occupations are specified by industry, including employers and labor representatives. Changes to paragraphs (a) and (b) align these paragraphs with the proposed format for this section, and are not intended to change the substance of those paragraphs. The proposed revision to Sec. 29.4(c) updates the provision to reflect changes to the means of progression through an apprenticeship program as discussed further in Sec. 29.5(b)(2).

Proposed Sec. 29.4(d) is the same as the current regulation except that it adds ``learning'' after ``training.'' This proposed addition clarifies that registered apprenticeship involves learning subject matter relevant to an occupation, as well as training in that occupation.

Standards of Apprenticeship (Sec. 29.5)

Proposed Sec. 29.5 updates the existing standards for registered apprenticeship programs to increase the flexibility of requirements for on-the-job learning, and related and supplemental instruction as defined in proposed Sec. 29.2, and provides for granting advanced standing or credit. Existing Sec. 29.5(b)(8), (b)(9), (b)(10) and (b)(14) would be carried forward unchanged and therefore are not being presented for comment. These sections are reprinted below for ease of reference.

The proposed introductory text and paragraph (a) minimally revise the existing provisions for the sake of clarity. Proposed Sec. 29.5(b) outlines the proposed requirements for program standards. Changes to paragraphs (b)(1), (b)(3), (b)(5), (b)(6), (b)(7), (b)(16), and (b)(22) in proposed Sec. 29.5 update language to use current common terms such as ``skilled occupation,'' rather than ``skilled trade;'' and ``must'' rather than ``shall.''

Proposed Sec. 29.5(b)(2), which is based on the existing requirement that work

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experience must be consistent with industry practice, presents three methods by which an individual apprentice may progress toward the industry standard for work experience required under Sec. 29.4(c). These methods are: (i) a time-based approach involving completion of at least 2,000 hours of on-the-job work experience; (ii) a competency-based approach involving successful demonstration of acquired skills and knowledge by an apprentice, as verified by the program sponsor; and (iii) a hybrid approach involving completion of a specified minimum number of hours plus the successful demonstration of competency. The time-based approach retains the 2,000-hour minimum of on-the-job work experience set by existing Sec. 29.4(c). In a competency-based approach, a program sponsor would allow an individual apprentice to demonstrate the requisite competencies for an apprenticeable occupation without having to satisfy a minimum number of hours of on-the-job work experience. In a hybrid approach, a program sponsor would provide an opportunity for an individual apprentice to demonstrate requisite competencies for an apprenticeable occupation after having completed a specified minimum number of hours of on-the-job work experience. For example, an apprentice may be required to complete 1,500 hours of on-the-job work experience to attain basic skills and knowledge and then permitted to show the attainment of the required skills and knowledge

through demonstrated competencies. The competency-based and hybrid approaches may enable an apprentice to progress through the program in less time than would be required under a time-based approach. Proposed Sec. 29.5(b)(2) will provide greater flexibility for registered apprenticeship programs to address career development plans of registered apprentices. This proposed approach reflects the experience of the traditional building and construction trades and industrial sectors with registered apprenticeship, and addresses the needs of new and emerging industries seeking to participate in the National Apprenticeship System.

Proposed Sec. 29.5(b)(4) allows for related technical instruction to be accomplished through methods such as classroom, occupational or industry courses, electronic media, or other instruction approved by the Registration Agency. Proposed paragraph (b)(4) would also establish requirements for an apprenticeship instructor, which would be similar to States' requirements such as meeting the State Department of Education's requirements for vocational-technical instructor, and/or being recognized as a subject matter expert. It would also require that instructors have training in teaching techniques and adult learning styles. The Department has proposed these changes to further ensure quality in the related technical instruction component of registered apprenticeship by establishing minimum standards for apprenticeship instructors. Proposed paragraph (b)(4) provides flexibility to accommodate variations in the requirements for instructors in different industries and occupations.

Proposed revisions to Sec. 29.5(b)(11) clarify that a written apprenticeship agreement must meet the requirements of the laws and regulations of a recognized Registration Agency.

Proposed Sec. 29.5(b)(12) revises the existing requirements for granting an apprentice advanced standing or credit to include demonstrated competencies. This addition provides greater flexibility for an apprentice to progress through an apprenticeship program. Proposed Sec. 29.5(b)(13) clarifies and revises the existing requirements for transfer of apprentices between apprenticeship program sponsors. While existing paragraph (b)(13) only governs transfers within the same program, the proposed paragraph governs transfers between programs as well.

Proposed paragraph (b)(13)(i) would require the program sponsor or committee to provide the transferring apprentice with a transcript of related training and on-the-job learning completed. This would provide the apprentice with a portable credential that could, for example, enable the apprentice to attain advanced standing or credit under Sec. 29.5(b)(12). Proposed paragraph (b)(13)(ii) permits the transfer to be either to the same or to a related occupation in contrast to the current regulation which only mentions transfer to another employer in the same program. Proposed paragraph (b)(13)(iii) requires the execution of a new apprenticeship agreement. This expansion of transferability provides greater flexibility for apprentices, and is intended to accommodate variations in apprentices' career development plans in which an apprentice may need to transfer between apprenticeship programs, not just within one apprenticeship program.

Proposed Sec. 29.5(b)(15) provides recognition for successful completion of apprenticeship or the attainment of an interim credential. The proposed revisions clarify that a certificate would be issued by a Registration Agency. The provision for interim credential has been added to ensure that apprentices receive credit for attaining particular skills or satisfying certain requirements as they progress

in apprenticeship.

Proposed Sec. 29.5(b)(17) clarifies that any modifications or amendments to program standards must be submitted to the Registration Agency for approval.

Proposed Sec. 29.5(b)(18) simply incorporates the proposed term ``Registration Agency'' into the existing requirement for the program sponsor to notify the Registration Agency of apprenticeship completion, transfer, suspension, and cancellation of apprenticeship agreements and makes a few other clarifying changes.

Proposed Sec. 29.5(b)(19) replaces the existing term ``termination'' with a more appropriate term, ``cancellation,'' to describe the cessation of an apprenticeship agreement between an apprentice and program sponsor prior to successful completion or transfer. The term cancellation does not carry the negative connotations associated with termination, and cancellation reflects the more common language. The proposed paragraph also provides that cancellations during an apprentice's probationary period will not adversely impact the sponsor's completion rates. The proposed rule adds this provision in recognition of the fact that apprentices leave apprenticeship programs, particularly during the probationary period, for numerous reasons, many of which have nothing to do with the quality of the apprenticeship program. Excluding such cancellations from the completion rate data is appropriate to avoid stigmatizing programs that happen to have a high attrition rate during the probationary period.

Proposed Sec. 29.5(b)(20) simply consolidates the requirements for compliance with 29 CFR part 30 from the existing Sec. 29.5(b) introductory text and existing Sec. 29.5(b)(20) and provides some clarifying language.

Proposed Sec. 29.5(b)(21) updates the existing requirement for name and address of the appropriate authority to receive, process and make disposition of complaints. The proposed paragraph simply adds telephone number and e-mail address as potential forms of contact information.

Program Performance Standards (Sec. 29.6)

Proposed Sec. 29.6 is a new provision that would set new requirements for program performance. Proposed Sec. 29.6(a) provides that an apprenticeship program must have at least one registered apprentice in order to be designated and retain designation

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as a registered apprenticeship program. This provision reflects the common sense notion that it would be pointless to have a registered program without apprentices.

Proposed Sec. 29.6(b) provides a non-exclusive list of the tools and factors that must be considered in evaluating program performance. In particular, programs will be reviewed based on quality assurance assessments, Equal Employment Opportunity Compliance Reviews, and completion rates. These factors have been specified because they would enable a Registration Agency to develop a fair understanding of program quality. The Department recognizes that other tools and factors may also be useful. Therefore, the proposed provisions in Sec. 29.6(b) are not intended to limit the Registration Agency's discretion to use other factors and tools in addition to those listed.

Proposed Sec. 29.6(c) provides for evaluation of completion rates

of programs located in the same geographical areas, and as necessary, further review and provision of technical assistance to maintain and improve program performance. Under proposed Sec. 29.6(d), the cancellation of apprenticeship agreements during the probationary period will not have an adverse impact on a sponsor's completion rate. The use of completion rates in program reviews is not intended to limit or terminate existing apprenticeship programs that receive technical assistance from a Registration Agency and demonstrate improved program performance, or to impede prospective apprenticeship program sponsors. Rather, the use of completion rates will focus on strengthening the program outcomes of the National Apprenticeship System. The Office of Apprenticeship will provide guidance to its field staff and to State Apprenticeship Agencies about establishing bench marks for completion rates for use in program reviews as proposed in this section. Such guidance will enable the Registration Agency to use appropriate data in formulating bench marks, incorporate analysis of relevant data in program reviews, and provide technical assistance. While every reasonable effort will be made to improve program performance, the Department contemplates that a program that demonstrates persistent deficiencies will be proposed for deregistration under Sec. 29.8 of this part. This approach will maximize program sponsors' ability to improve program performance. These provisions will ensure program quality and accountability in the National Apprenticeship System.

Apprenticeship Agreement (Sec. 29.7)

Proposed Sec. 29.7, which is based on existing Sec. 29.6, sets the requirements for apprenticeship agreements. An apprenticeship agreement, as defined in Sec. 29.2, is the written agreement between an apprentice and either the apprentice's program sponsor or committee acting as agent for the program sponsor(s), which contains the terms and conditions of the employment and training of the apprentice. Except for proposed paragraphs (b), (e), and (j), the changes simply update terminology and do not alter the existing requirements.

Proposed Sec. 29.7(b) carries forward the existing requirement that the agreement include the apprentice's date of birth and adds provision for a space on the agreement in which apprentices would voluntarily provide their Social Security Number. The Registration Agency will use apprentices' Social Security Numbers for performance management and Davis Bacon Act purposes; in particular, for use in calculating employment outcomes of the National Apprenticeship System as defined in the Department's common measures for Federal job training programs. The Office of Management and Budget (OMB) has approved the request for Social Security Number information on an apprenticeship agreement (OMB Control Number 1205-0223).

Proposed Sec. 29.7(e) updates the Apprenticeship Agreement to accommodate the information about the approach to apprenticeship progression (either time-based approach, competency-based approach, or hybrid approach, as defined in Sec. 29.5(b)(2)) that the apprenticeship sponsor has selected. The Department proposes to carry forward the existing requirement about the number of hours to be spent in related technical and supplemental instruction. The number of hours of related instruction specified in an Apprenticeship Agreement is unaffected by the approach to progression through an apprenticeship program chosen by the sponsor.

Proposed Sec. 29.7(j) carries forward existing requirements regarding equal opportunity in all phases of apprenticeship employment

and training.

Deregistration of a Registered Program (Sec. 29.8)

Proposed Sec. 29.8 clarifies the existing Sec. 29.7 provisions for deregistration of registered apprenticeship programs. The existing regulation refers to ``Bureau [Office of Apprenticeship] registered programs.'' References to the Federal registration agency have been removed to make it clear that the section applies to registrations with all Registration Agencies. In addition, we propose to delete the phrase ``but not limited to'' in the introductory language to proposed Sec. 29.8(a) because it contributes nothing to the meaning of the paragraph. Proposed Sec. 29.8(a) also replaces the term ``registration officer'' with the term ``Registration Agency'' and establishes a requirement for sponsors whose program has been deregistered to refer all impacted apprentices to the Registration Agency for information about potential transfer to other registered apprenticeship programs. Proposed paragraphs 29.8(b) (1) through (b) (8) outline deregistration by the Registration Agency based upon reasonable cause.

Additionally, proposed Sec. 29.8(b) (7) shifts Departmental decision making and action from the Secretary to the Administrator of the Office of Apprenticeship, the Office of Administrative Law Judges (OALJ) and the Administrative Review Board (ARB). The proposed revisions, which are consistent with revisions in proposed Sec. Sec. 29.10 and 29.13, implement Secretary's Order 1-2002, 67 FR 64272, Oct. 17, 2002.

Reinstatement of Program Registration (Sec. 29.9)

Proposed Sec. 29.9 is revised to provide that requests for reinstatement must be filed with and decided by the Registration Agency.

Hearings (Sec. 29.10)

Proposed Sec. 29.10 would institute a new procedure for appeals of deregistration decisions more in line with current practice at DOL. As noted in the discussion of Sec. 29.8, this procedure shifts Departmental decision making and action from the Secretary to the Administrator of the Office of Apprenticeship, the OALJ and the ARB. The proposed revisions implement Secretary's Order 1-2002, 67 FR 64272, Oct. 17, 2002.

Under proposed Sec. 29.10(a), requests for hearing will be sent to the Administrator who will forward them to the OALJ. The OALJ will assign an Administrative Law Judge (ALJ) to hear the case. The ALJ will issue a notice of hearing. Under proposed Sec. 29.10(b), the ALJ would generally govern the hearing under the OALJ's rules of procedure in 29 CFR part 18. Under proposed Sec. 29.10(c), discretionary appeals to the ARB would be available to any party dissatisfied with the ALJ's decision. The request for appeal must be filed within 15 days and must specify the parts of

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the decision to which exception is taken. The ARB must decide whether to accept the appeal within 30 days, and must issue its decision within 180 days after the close of the record.

Limitations (Sec. 29.11) and Complaints (Sec. 29.12)

All modifications in these sections are changes to language that simply harmonize these sections with provisions and language updates discussed in other sections.

Recognition of State Apprenticeship Agencies (Sec. 29.13)

Proposed Sec. 29.13 would revise the provisions (in current Sec. 29.12) that address the recognition of State Apprenticeship Agencies for Federal purposes. These proposed revisions clarify how the Office of Apprenticeship oversees the National Apprenticeship System.

Proposed Sec. 29.13(a) differs significantly from the existing regulation (Sec. 29.12(a)), in that it does not include State Apprenticeship Councils as entities eligible for recognition. Proposed Sec. 29.13(a) provides that the Department will ``recognize'' a State Apprenticeship Agency which complies with the specified requirements, granting that agency authority to register apprenticeship programs and apprentices for Federal purposes. The Department has proposed this change to ensure that the governmental entity to be held accountable for conformity with part 29 is clearly identified. Current regulations do not specify that a recognized Registration Agency must be a government entity. Proposed Sec. 29.13(a) clarifies this requirement and further aligns the proposed regulations for the National Apprenticeship System with the National Apprenticeship Act, which states that the Department is to ``cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship.''

Additionally, proposed Sec. 29.13(a) provides that the Department's recognition of State Apprenticeship Agency confers ``non-exclusive authority'' to determine whether an apprenticeship program meets published standards and is eligible for those Federal purposes which require such a determination. With this provision and corresponding language in proposed Sec. 29.13(j), the Department retains full authority to register programs and apprentices located in all States and Territories where the Office of Apprenticeship has determined such action is necessary to further the interests of the National Apprenticeship System. These provisions clarify the Department's interpretation of the existing rule and codify existing practice. The Department has long used its authority to register apprenticeship programs in Federal enclaves and has stepped in to register programs when a State Apprenticeship Agency has been unable to timely register apprenticeship programs.

Proposed Sec. 29.13(a)(2) consolidates the provisions related to the State Apprenticeship Councils from existing Sec. 29.12(a)(2) and Sec. 29.12(b)(2). Proposed Sec. 29.13(b)(2) also deletes language in the existing regulation Sec. 29.12(b)(2) regarding voting procedures in a State Apprenticeship Council. These deletions are proposed because, under the proposed new rule under which only State government agencies will be recognized as State Apprenticeship Agencies, issues pertaining to State Apprenticeship Councils are under the direction and the discretion of the State Apprenticeship Agency, and are no longer appropriate matters for the Department to direct through the requirements of this part. Proposed Sec. 29.13(a)(3) through (a)(5) carry forward existing provisions in Sec. 29.12(a)(3) through (a)(5).

Proposed Sec. 29.13(a)(6) establishes a new requirement for the

State Apprenticeship Agency to integrate registered apprenticeship into the State's economic development strategies and public workforce investment system. Such integration would further the National Apprenticeship Act mandate to bring together employers and labor for the formulation of programs of apprenticeship. Through increased coordination, State Apprenticeship Agencies can promote registered apprenticeship to a broader audience and further expand apprenticeship into high growth, high demand occupations. This effort would promote registered apprenticeship as a critical post-secondary education, training, and employment option available through the One Stop Career Center system.

Proposed Sec. 29.13(b) further clarifies basic requirements for the Department's recognition of a State Apprenticeship Agency. Proposed paragraph (b) (2) requires that State Apprenticeship Agencies provide sufficient budget and staff to carry out the functions of a Registration Agency. The Department is adding this provision to ensure that if a State that wishes to undertake the responsibilities required of a State Apprenticeship Agency, it must be prepared to commit the resources necessary to carry out those responsibilities. Currently, some State Apprenticeship Agencies depend completely on DOL staff to maintain registered apprenticeship functions in their States. Under the proposed rule, a State that seeks the authority to register apprenticeship programs and apprentices, for Federal purposes, within its jurisdiction, must assume corresponding responsibilities. The proposed rule deletes existing Sec. 29.12(b) (1) language that prescribes the location of a State Apprenticeship Agency and subsumes existing Sec. 29.12(b) (4), which requires the State to designate the entity responsible for registration and deregistration. This proposed deletion would increase States' flexibility to determine where within the State government the State Apprenticeship Agency authority resides.

Proposed Sec. 29.13(b) (3) includes a new requirement to delineate powers and duties of the State Apprenticeship Agency, in addition to those of the State office and State Apprenticeship Council. Proposed Sec. 29.13(b) (4) restates the corresponding provisions of existing Sec. 29.12(b) (5). Proposed Sec. 29.13(b) (5) effectively restates the corresponding provisions of existing Sec. 29.12(b) (6).

Proposed Sec. 29.13(b) (6) revises the existing provisions in Sec. 29.12(b) (7) for registration of apprenticeship programs to emphasize occupations in high growth and high demand occupations. This provision aligns with the Department's focus on addressing industry demands, particularly in high growth occupations.

Proposed Sec. 29.13(b) (7) expands the provisions of existing Sec. 29.12(b) (8), which currently provide for reciprocal recognition for programs and standards other than in the building and construction trades. The proposed revision would cover all registered apprentices, apprenticeship programs, and standards, with no exceptions, for Federal purposes. This would enable apprentices registered in one State to work as registered apprentices in other States, if their apprenticeship program sponsor requests reciprocal recognition for Federal purposes from the Registration Agency. This proposed expansion promotes the National Apprenticeship Act's requirement for the furtherance of labor standards necessary to safeguard the welfare of apprentices. Additionally, this expansion of reciprocity will enable the National Apprenticeship System to further address the needs of businesses and labor, while maintaining high quality standards for apprenticeship programs.

Proposed Sec. 29.13(b) (8) carries forward the provisions of

current Sec. 29.12(b)(9)

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with regard to cancellation of programs and apprenticeship agreements.

Proposed Sec. 29.13(b)(9) is a new provision that has been added to clarify requirements for State Apprenticeship Agencies to submit proposed modifications in the State's apprenticeship legislation, regulations, policies, and/or operational procedures for Departmental review and approval prior to implementation for conformity with the National Apprenticeship Act and the implementing regulations in 29 CFR parts 29 and 30. The State Apprenticeship Agency's submission of proposed legislation, regulations, policies and/or operational procedures will enable the Department to identify and take action to resolve concerns.

The proposed rule deletes existing Sec. 29.12(b)(10) because this requirement for employers to consult with collective bargaining agents about proposed unilateral apprenticeship program duplicates existing Sec. 29.3(h), which is being carried forward as proposed Sec. 29.3(j).

The proposed language implements the Department's authority to administer the National Apprenticeship System. The current regulations could be interpreted to permit States to change their laws and practices after approval of their applications, without the Department's review and approval. Such an interpretation could lead to a situation in which a State Apprenticeship Agency violated 29 CFR part 29 without consequences. This was never the Department's intent. The proposed provision clarifies that to be recognized as a State Apprenticeship Agency, a State's law and procedures must conform with part 29, initially, and must continue to comply with those requirements.

Proposed Sec. 29.13(c), which is based on existing Sec. 29.12(c), addresses the process by which State Apprenticeship Agencies apply for recognition from the Department. State Apprenticeship Agencies recognized by the Department under current regulations would be required to reapply for recognition within 1 year from effective date of the final rule. This shift furthers the Department's efforts to ensure continuing conformity with part 29, and effectuates the Department's authority to administer the National Apprenticeship System under the National Apprenticeship Act.

Proposed Sec. 29.13(d) is a new provision that establishes a 5-year period for recognition of a State Apprenticeship Agency by the Department and provides a process for renewal and maintenance of recognition. This provision has been added to ensure consistency and quality across the National Apprenticeship System. The existing regulations confer open-ended recognition on State Apprenticeship Agencies for Federal purposes and do not clearly specify that a State Apprenticeship Agency must continue to meet regulatory requirements for continued recognition. In the Department's view, a 5-year period provides a reasonable level of continuity for State Apprenticeship Agencies, while providing an efficient way to ensure that State Apprenticeship Agencies remain in conformity with Federal requirements.

Proposed Sec. 29.13(e) is a new provision that addresses Departmental review and monitoring of Registration Agencies for compliance with the requirements of this part. This provision would effectuate the Department's authority to administer the National Apprenticeship System. The requirements of proposed paragraph (e),

which provide for on-site review; self-assessment; and monitoring of the State's apprenticeship law and procedures, simply codify the Department's existing procedures for determining if State Apprenticeship Agencies are complying with part 29. The monitoring and reviews outlined in this proposed approach would form the basis for the Office of Apprenticeship's decision whether to continue recognition every 5 years.

Proposed Sec. 29.13(f) is a new provision that would provide for the steps to be taken if a State Apprenticeship Agency is found to be out of compliance with part 29. These provisions are based on the Department's current practice of compliance assistance. Those practices include the provision of technical assistance, and, where problems are found, conferral of ``Conditional Recognition'' for 45 days during which the State Apprenticeship Agency must submit a corrective action plan to remedy the conforming activity for failure to maintain compliance. These proposed procedures are necessary to ensure that non-conformity with part 29 is detected and addressed expeditiously.

Proposed Sec. 29.13(g), which is based on existing Sec. 29.12(d), simplifies and clarifies the process for determining whether to deny a State Apprenticeship Agency recognition and provides the procedures for appeal of that decision. The proposed new procedure provides for a direct appeal by the State Apprenticeship Agency to the OALJ, for a hearing before an ALJ which will result in a recommended decision, with a final decision by the ARB. The hearing will be governed by the OALJ procedural rules in 29 CFR part 18 with some exception to ensure the reception of documentary evidence and to relax the application of formal rules of evidence.

Proposed Sec. 29.13(h), which is based on existing Sec. 29.12(e), carries forward the requirements for conformity with pertinent law and the Office of Apprenticeship registration of apprenticeship programs and apprentices under certain conditions.

Proposed Sec. 29.13(i) is a new provision which provides a process and procedure for a State to voluntarily relinquish its authority to administer registered apprenticeship for Federal purposes. This new section clarifies the Department's requirements for States seeking to transition administration of registered apprenticeship for Federal purposes from a State Apprenticeship Agency to the Office of Apprenticeship. These requirements include submitting a formal notice of intent, timely provision of all original, pertinent documents, and full cooperation during any transition period. These provisions would ensure smooth, seamless continuity of operations in the National Apprenticeship System, and further support the Department in fulfilling its obligations and responsibilities to registered apprentices and program sponsors. The proposed requirements in Sec. 29.13(i)(2) and (3) are identical to the corresponding provisions in proposed Sec. 29.14(h), which sets the requirements for transition when the Department has withdrawn recognition.

Proposed Sec. 29.13(j) provides that the Department retains full authority to register apprenticeship programs and apprentices, for Federal purposes, in all States and Territories where the Office of Apprenticeship determines that such action is necessary to further the interests of the National Apprenticeship System. This new provision clarifies that the Department's granting of recognition to a State Apprenticeship Agency does not confer exclusive authority to register apprenticeship programs and apprentices for Federal purposes in that State. The Department has determined that this clarification is necessary to ensure that all current and potential program sponsors

seeking to participate in the National Apprenticeship System have full access to a Registration Agency regardless of their geographic location. Further, this clarification codifies the Office of Apprenticeship's existing practice. When State Apprenticeship Agencies have unreasonably delayed or denied registration to apprenticeship programs that meet the criteria established in this part, the Department has used its authority to register such apprenticeship programs for Federal purposes. The

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National Apprenticeship Act and Sec. 29.1, ``Purpose and scope,' of the existing regulations provide the Office of Apprenticeship the authority to register apprenticeship programs and apprentices for Federal purposes, as defined in existing regulations at Sec. 29.2.

Derecognition of State Agencies (Sec. 29.14)

The Department also proposes to revise the provisions for derecognition of State Apprenticeship Agencies (existing Sec. 29.13, proposed Sec. 29.14) to further enhance the Department's oversight of the National Apprenticeship System. Proposed paragraphs (a), and (b), of proposed Sec. 29.14 carry forward existing procedures used under the current regulations and incorporate the updated term ``Office of Apprenticeship.''

Proposed Sec. 29.14(c) clarifies how the Department will proceed with derecognition, depending on how the State Apprenticeship Agency responds to the notice issued under proposed Sec. 29.14(b). Proposed paragraph (c) (1) provides for suspension of the derecognition process, if the Office of Apprenticeship determines that the State Apprenticeship Agency has sufficiently specified proposed remedial actions and committed the State to remedying identified deficiencies. Proposed paragraph (c) (1) (i) provides for termination of derecognition proceedings, if the Office of Apprenticeship determines that the State's corrective action has addressed the identified concerns. Proposed paragraph (c) (1) (ii) provides the Administrator must issue a notice proposing derecognition and offering the opportunity for a hearing if the Administrator finds that the corrective action has failed to remedy the identified concerns.

Proposed paragraphs (c) (2) and (3) provide a new procedure from existing Sec. 29.13(c) (2). Proposed paragraph (c) (2) provides that, where the State Apprenticeship Agency fails to either comply with the notice issued under Sec. 29.14(b) or request a hearing, the Administrator must take the steps described in Sec. 29.14(d), (e), (f), and (g) to assume control of registration in the State for Federal purposes and to transfer State registered programs to Federal registration.

Proposed paragraph (c) (3) adopts the hearing and appeal procedures of Sec. 29.13(g) to govern the hearing, leading to a final decision by the ARB. In particular, this paragraph specifies the use of an ALJ to develop proposed findings and a recommended decision that would be referred to the ARB for final decision. As provided under Secretary's Order 1-2002, 67 FR 64272, Oct. 17, 2002, paragraph (a) (25), the Secretary has delegated the authority to review and make final decisions on administrative adjudication regarding the National Apprenticeship Act to the ARB. Therefore, the final decision on derecognition would be issued by the ARB.

Proposed Sec. 29.14(d) and (e) carries forward the procedures for transferring the registration of apprenticeship programs from State to Federal registration under existing Sec. 29.13(d). Proposed paragraphs (d)(1) and (d)(2) present the notice requirements with which the Office of Apprenticeship must comply. Proposed paragraph (e) carries forward the existing provisions that enable apprenticeship program sponsors impacted by State Apprenticeship Agency derecognition to request registration with the Office of Apprenticeship.

Proposed Sec. 29.14(f) carries forward existing provisions in Sec. 29.13(e) that address the situation where a sponsor fails to request registration with the Office of Apprenticeship. Proposed Sec. 29.14(g) carries forward existing provisions in Sec. 29.13(f) that require sponsors to notify apprentices of the impact of derecognition for Federal purposes, and imposes a new requirement on sponsors to refer all apprentices to the Office of Apprenticeship for information about potential transfer to other registered apprenticeship programs.

Proposed Sec. 29.14(h) would establish requirements for a State Apprenticeship Agency whose recognition has been withdrawn for Federal purposes to provide all documents relating to the State's apprenticeship programs to the Department and to cooperate fully during the transition period. The proposed requirements are identical to the corresponding provisions in proposed Sec. 29.13(i)(2) and (3).

Proposed Sec. 29.14(i) carries forward the existing Sec. 29.13(g) provisions that address the circumstances in which a derecognized State Apprenticeship Agency may regain recognition. The State Apprentice Agency would have to establish, to the satisfaction of the Office of Apprenticeship, that the State Apprenticeship Agency has remedied the non-conformity that led to derecognition, has cooperated with the Office of Apprenticeship in the transfer process, and is otherwise operating in compliance with part 29.

III. Administrative Requirements for the Proposed Rulemaking

Executive Order (E.O.) 12866

This proposed rule to revise 29 CFR part 29 is not economically significant because it will not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs; nor will it have an annual effect on the economy of \$100 million or more; or adversely affect the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in any material way. However, the proposed rule is a significant regulatory action under E.O. 12866 at Sec. 3(f) because it raises novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the E.O. This proposed rule updates existing regulations. Therefore, the Department has submitted this proposed rule to the OMB for review.

Paperwork Reduction Act (PRA)

Registration of apprentices described in this proposed rule contains requirements for Registered Apprenticeship Program Sponsors and apprentices to submit Apprenticeship Agreement forms to DOL or to the appropriate State Registration Agency. These requirements were previously reviewed and approved for use by OMB under 29 U.S.C. 50 and 29 CFR 29.1, and assigned OMB control number 1205-0223 under the

provisions of the Paperwork Reduction Act of 1995. 44 U.S.C. 3501 Additionally, in accordance with the PRA, OMB has approved the Department's information collection request for the Apprenticeship Agreement at proposed Sec. 29.7, including the apprentice's Social Security Number (OMB Control Number 1205-0223). The Department has determined that this proposed rule contains no new information collection requirements, nor that any of these requirements are substantively or materially modified by the proposed changes contained herein.

Executive Order 13132: Federalism

The Department has reviewed this proposed rule in accordance with E.O. 13132 and found it may have Federalism implications because it may have substantial direct effects on States and on the relationship between the National government and the States. In particular, the proposed rule may affect internal State organizational structures with regard to State Apprenticeship Agencies and State Apprenticeship Councils and it extends the requirements for reciprocal approval of

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programs registered in other States. However, in developing these regulations, the Department undertook to consult with representatives of affected State officials, and the resulting proposed rule has been drafted to meet the concerns of such officials.

In the development of the proposed rule the Department included several mechanisms for consultation with State officials. The Department relied upon advice from the ACA, and consultation with State apprenticeship agencies and the NASTAD, the organization representing apprenticeship officials from the District of Columbia, 27 States, and three Territories. The ACA, which contains representatives of two associations of State labor and apprenticeship officials (including NASTAD), offered specific suggestions on matters relating to apprenticeship program standards, and registration and deregistration of apprenticeship programs. Upon consideration of the ACA's advice, the Department ultimately agreed with the ACA's recommendations and has incorporated them into the proposed rule.

The Department has consulted with NASTAD on provisions that more directly affect States and the relationship between the National government and the States. In response to a request from the Office of Apprenticeship, the President of NASTAD submitted a letter on behalf of NASTAD membership in December 2006, outlining recommendations for changes to regulations governing the recognition of State agencies to register apprenticeship programs for Federal purposes. In February 2007, Office of Apprenticeship personnel attended a NASTAD meeting to discuss and obtain feedback from NASTAD members on proposed revisions to this part.

As a result of this consultation, NASTAD identified concerns pertaining to six specific areas:

(a) State Apprenticeship Councils should be established within State Apprenticeship Agencies as provided under State law, and the director of the State Apprenticeship Agency should be empowered to implement approved State apprenticeship law and regulations in compliance with 29 CFR part 29;

(b) State Apprenticeship Councils should be composed of persons who are directly associated with registered apprenticeship, should be

comprised of an equal number of employee and employer representatives, and should include public representatives in numbers not exceeding the number of employee or employer representatives;

(c) Apprenticeship program sponsors registered in one State that seek reciprocal recognition in another State must abide by the policies, procedures, legislation, and regulations of the State in which they are seeking registration;

(d) The appropriate term for the entity applying for recognition from the Department is ``State Agency'' and not the State Council;

(e) The title of the DOL entity responsible for oversight of the National Apprenticeship System should be changed to its current name, ``Office of Apprenticeship;'' and

(f) A State Apprenticeship Agency's recognition status should not be affected by revisions to this part.

The Department considered this input in developing the proposed rule, and has adopted most of NASTAD's recommendations. For example, the NPRM provides that the State Apprenticeship Agency must establish a State Apprenticeship Council and that only a State Apprenticeship Agency can exercise the authority of a Registration Agency. Further, the Department construes NASTAD's recommendations for the composition of a State Apprenticeship Council as supportive of the existing requirements in Sec. 29.12(b)(2), carried forward in proposed Sec. 29.13(a)(2). In addition, proposed Sec. 29.13(b)(7) expands the existing reciprocity requirement (Sec. 29.12(b)(8)), which applies only to programs other than those for the building and construction trades, while taking into account NASTAD's concern that out-of-State programs comply with the law of the States where they are seeking reciprocity. Indeed, proposed Sec. 29.13(b)(7) simply requires a State Registration Agency to acknowledge that a particular program is, in fact, registered for Federal purposes. The State Registration Agency would retain the authority to enforce its State labor law, such as the provisions covering apprentice wage rates. Therefore, employers using apprentices registered by other State Registration Agencies would not gain a competitive advantage over in-State employers. Moreover, the Department adopted NASTAD's recommendations and has proposed to replace outmoded references with references to the ``Office of Apprenticeship'' and the ``State Apprenticeship Agency.''

While the Department considered NASTAD's recommendation that a State Apprenticeship Agency's recognition status should not be affected by revisions to this part, it determined that the interest in continuity was outweighed by the national interest in further aligning the National Apprenticeship System with the significant changes in the economy and the workforce that have occurred in the 30 years since regulations for registered apprenticeship were first promulgated. Therefore, in order to fulfill the Department's responsibility to safeguard the welfare of apprenticeship and to promote apprenticeship opportunity, each currently recognized State will be required to update its policies and procedures in accordance with the revisions to this part in order to maintain recognition.

In order to further a smooth transition, proposed Sec. 29.13(c) provides that the recognition of currently recognized State Apprenticeship Agencies would continue for at least 1 year from the effective date of the final rule and outlines the process for State Apprenticeship Agencies to apply for recognition under the revised rule. Therefore, the Department has allowed currently recognized State Apprenticeship Agencies sufficient time to achieve compliance.

Separately, NASTAD recommended non-substantive revisions to the

requirement (existing Sec. 29.12(b)(10)) for employers to consult with collective bargaining agents about proposed unilateral apprenticeship programs. Under the proposed rule, existing Sec. 29.12(b)(10) will be deleted because it duplicates existing Sec. 29.3(h), which is being carried forward as proposed Sec. 29.3(j). The Department considered, but did not adopt, the wording changes suggested by NASTAD in proposed Sec. 29.3(j).

Unfunded Mandates Reform Act of 1995

This regulatory action has been reviewed in accordance with the Unfunded Mandates Reform Act of 1995 at 2 U.S.C. 1531 and E.O. 12875. The Department has determined that this rule does not include any Federal mandate that may result in increased expenditures by State, local or tribal governments, in the aggregate, or the by private sector, of \$100 million or more in any 1 year. Accordingly, the Department has not prepared a budgetary impact statement.

Assessment of Federal Regulations and Policies on Families

The Department certifies that this proposed rule has been assessed according to section 654 of Public Law 105-277, 112 Stat. 2681, for its effect on family well-being. The Department concludes that the rule will not adversely affect the well-being of the Nation's families. Rather, it should have a positive effect by safeguarding the welfare of registered apprentices.

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Regulatory Flexibility Act (RFA)/Small Business Regulatory Enforcement Act of 1996 (SBREFA)

We have notified the Chief Counsel for Advocacy, Small Business Administration, and made the certification pursuant to the RFA at 5 U.S.C. 605(b), that this proposed rule will not have a significant economic impact on a substantial number of small entities. Under the RFA, no regulatory flexibility analysis is required where the rule ``will not have'' have a significant economic impact on a substantial number of small entities. A small entity is defined as a small business, small not-for-profit organization, or small governmental jurisdiction. 5 U.S.C. 601(3)-(5). Therefore, the definition of the term ``small entity'' does not include States or individuals.

The rule revises and updates procedures for labor standards for registered apprenticeship programs administered by the States and the Department and not by small governmental jurisdictions. Therefore, the Department certifies that this proposed rule will not have a significant impact on a substantial number of small entities, and as a result, no regulatory flexibility analysis is required.

In addition, the Department certifies that this proposed rule is not a major rule as defined by section 804 of the SBREFA. 5 U.S.C. 804. Under section 804 of SBREFA, a major rule is one that is an ``economically significant regulatory action'' within the meaning of E.O. 12866. Because this proposed rule is not economically significant under E.O. 12866, we certify that it also is not a major rule under SBREFA.

Executive Order 13175: Consultation and Coordination With Indian Tribal

Governments

The Department has reviewed this proposed rule in accordance with E.O. 13175 and has determined that it does not have ``tribal implications.'' The proposed rule does not ``have substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

Executive Order 12988: Civil Justice

This proposed rule has been drafted and reviewed in accordance with E.O. 12988, Civil Justice Reform, and will not unduly burden the Federal court system. The proposed rule has been written so as to minimize litigation and provide a clear legal standard for affected conduct, and has been reviewed carefully to eliminate drafting errors and ambiguities.

Catalogue of Federal Domestic Assistance Number

This program is listed in the Catalog of Federal Domestic Assistance at No. 17.201.

List of Subjects in 29 CFR Part 29

Apprentice agreement and complaints, Apprenticability criteria, Program standards, registration and deregistration, Sponsor eligibility, State Apprenticeship Agency recognition and derecognition.

Signed at Washington, DC, on December 10, 2007.

Emily Stover DeRocco,
Assistant Secretary, Employment and Training Administration.

For reasons stated in the preamble, the Department of Labor proposes to revise 29 CFR part 29 to read as follows:

PART 29--LABOR STANDARDS FOR THE REGISTRATION OF APPRENTICESHIP PROGRAMS

Sec.

29.1 Purpose and scope.

29.2 Definitions.

29.3 Eligibility and procedure for registration of an apprenticeship program.

29.4 Criteria for apprenticeable occupations.

29.5 Standards of apprenticeship.

29.6 Program performance standards.

29.7 Apprenticeship agreement.

29.8 Deregistration of a registered program.

29.9 Reinstatement of program registration.

29.10 Hearings for deregistration.

29.11 Limitations.

29.12 Complaints.

29.13 Recognition of State apprenticeship agencies.

29.14 Derecognition of State apprenticeship agencies.

Authority: Section 1, 50 Stat. 664, as amended (29 U.S.C. 50; 40

Sec. 29.1 Purpose and scope.

(a) The National Apprenticeship Act of 1937, section 1 (29 U.S.C. 50), authorizes and directs the Secretary of Labor ``to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the office of Education under the Department of Health, Education, and Welfare * * * .'' Section 2 of the Act authorizes the Secretary of Labor to ``publish information relating to existing and proposed labor standards of apprenticeship'', and to ``appoint national advisory committees * * * .'' (29 U.S.C. 50a)

(b) The purpose of this part is to set forth labor standards to safeguard the welfare of apprentices, promote apprenticeship opportunity, and to extend the application of such standards by prescribing policies and procedures concerning the registration, for certain Federal purposes, of acceptable apprenticeship programs with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship. These labor standards, policies and procedures cover the registration, cancellation and deregistration of apprenticeship programs and of apprenticeship agreements; the recognition of a State agency as an authorized agency for registering apprenticeship programs for certain Federal purposes; and matters relating thereto.

Sec. 29.2 Definitions.

Administrator means the Administrator of the Office of Apprenticeship, or any person specifically designated by the Administrator.

Apprentice means a worker at least 16 years of age, except where a higher minimum age standard is otherwise fixed by law, who is employed to learn an apprenticeable occupation as provided in Sec. 29.4 under standards of apprenticeship fulfilling the requirements of Sec. 29.5.

Apprenticeship Agreement means a written agreement, complying with Sec. 29.7, between an apprentice and either the apprentice's program sponsor, or an apprenticeship committee acting as agent for the program sponsor(s), which contains the terms and conditions of the employment and training of the apprentice.

Apprenticeship Committee (Committee) means, those persons designated by the sponsor to act as an agent for the sponsor in the administration of the program. A committee may be either joint or non-joint, as follows:

(1) A joint committee is composed of an equal number of representatives of the employer(s) and of the employees represented by a bona fide collective bargaining agent(s).

(2) A non-joint committee which may also be known as a unilateral or group non-joint (may include workers) committee has employer representatives but does not have a bona fide collective bargaining

agent as a participant.

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Apprenticeship Program means a plan containing all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices, as required under 29 CFR parts 29 and 30, including such matters as the requirement for a written apprenticeship agreement.

Cancellation means the termination of the registration or approval status of a program at the request of the sponsor or termination of an Apprenticeship Agreement at the request of the apprentice.

Certification or Certificate means documentary evidence that:

(1) The Office of Apprenticeship has approved a set of National Guidelines for Apprenticeship Standards developed by a national committee or organization, joint or unilateral, for policy or guideline use by local affiliates, as conforming to the standards of apprenticeship set forth in Sec. 29.5;

(2) A Registration Agency has established that an individual is eligible for probationary employment as an apprentice under a registered apprenticeship program;

(3) A Registration Agency has registered an apprenticeship program as evidenced by a Certificate of Registration or other written indicia;

(4) A Registration Agency has determined that an apprentice has successfully met the requirements to receive an interim credential; or

(5) A Registration Agency has determined that an individual has successfully completed apprenticeship.

Competency means the attainment of manual or technical skills and knowledge, as specified by an occupational standard.

Department means the U.S. Department of Labor.

Electronic media means media that utilize electronics or electromechanical energy for the end user (audience) to access the content; and includes, but is not limited to, electronic storage media, transmission media, the Internet, extranet, lease lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic media and/or interactive distance learning.

Employer means any person or organization employing an apprentice whether or not such person or organization is a party to an Apprenticeship Agreement with the apprentice.

Federal Purposes includes any Federal contract, grant, agreement or arrangement dealing with apprenticeship; and any Federal financial or other assistance, benefit, privilege, contribution, allowance, exemption, preference or right pertaining to apprenticeship.

Interim credential means a credential issued by the Registration Agency, upon request of the appropriate sponsor, as certification of competency attainment by an apprentice.

Journeyworker means a worker who has attained a level of skill and competency recognized within an industry as having mastered the skills and competencies required for the occupation. (Use of the term may also refer to a mentor, technician, specialist or other skilled worker who has documented sufficient skills and knowledge of an occupation, either through formal apprenticeship or through practical on-the-job experience, and formal training.)

Office of Apprenticeship means the office designated by the Employment and Training Administration to administer the National Apprenticeship System or its successor organization.

Provisional registration means the 1-year provisional approval of

newly registered programs after which program approval may be made permanent, continued as provisional, or rescinded following a review by the Registration Agency.

Registration Agency means the Office of Apprenticeship or a recognized State Apprenticeship Agency that has responsibility for registering apprenticeship programs and apprentices; providing technical assistance; conducting reviews for compliance with 29 CFR parts 29 and 30 and quality assurance assessments.

Registration of an apprenticeship agreement means the acceptance and recording of an apprenticeship agreement by the Office of Apprenticeship or a recognized State Apprenticeship Agency as evidence of the apprentice's participation in a particular registered apprenticeship program.

Registration of an apprenticeship program means the acceptance and recording of such program by the Office of Apprenticeship, or registration and/or approval by a recognized State Apprenticeship Agency, as meeting the basic standards and requirements of the Department for approval of such program for Federal purposes. Approval is evidenced by a Certificate of Registration or other written indicia.

Related instruction or related technical instruction means an organized and systematic form of instruction designed to provide the apprentice with the core knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom through occupational or industrial courses, or by correspondence courses of equivalent value, or electronic media, or other forms of self-study approved by the Registration Agency.

Secretary means the Secretary of Labor or any person designated by the Secretary.

Sponsor means any person, association, committee, or organization operating an apprenticeship program and in whose name the program is (or is to be) registered or approved.

State means any of the 50 States of the United States, the District of Columbia, or any Territory or possession of the United States.

State Apprenticeship Agency means an agency of a State government that has responsibility and accountability for apprenticeship within the State. Only a State Apprenticeship Agency may seek recognition by the Office of Apprenticeship as an agency which has been properly constituted under an acceptable law or Executive order, and authorized by the Office of Apprenticeship to register and oversee apprenticeship programs and agreements for Federal purposes.

State Apprenticeship Council is an entity established to assist the State Apprenticeship Agency. A State Apprenticeship Council is ineligible for recognition as the State's Registration Agency. A regulatory State Apprenticeship Council may promulgate apprenticeship law at the direction of the State Apprenticeship Agency. An advisory State Apprenticeship Council provides advice and guidance to the State Apprenticeship Agency on the operation of the State's apprenticeship system.

State office means that individual office or division of State government designated as the point of contact for the State Apprenticeship Agency

Supplemental instruction means instruction in non-core related requirements, for example, job site management, leadership, communications, first-aid/CPR, field trips, and new technologies/processes.

Technical assistance means guidance provided by Registration Agency staff in the development, revision, amendment, or processing of a

potential or current program sponsor's Standards of Apprenticeship, Apprenticeship Agreements, or advice or consultation with a program sponsor to further compliance with this part or guidance from the Office of Apprenticeship to a State Apprenticeship Agency on how to remedy nonconformity with this part.

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Transfer means a shift of apprenticeship registration from one program to another or from one employer within a program to another employer within that same program. Transfer may be initiated either by the employer, the sponsor or the apprentice.

Sec. 29.3 Eligibility and procedure for registration of an apprenticeship program.

(a) Eligibility for registration of an apprenticeship program for various Federal purposes is conditioned upon a program's conformity with the apprenticeship program standards published in this part. For a program to be determined by the Secretary as being in conformity with these published standards the program must apply for registration and be registered with the Office of Apprenticeship or with a State Apprenticeship Agency recognized by the Office of Apprenticeship. The determination by the Secretary that the program meets the apprenticeship program standards is effectuated only through such registration.

(b) Only an apprenticeship program or agreement that meets the following criteria is eligible for Office of Apprenticeship or State Apprenticeship Agency registration:

(1) It is in conformity with the requirements of this part and the training is in an apprenticeable occupation having the characteristics set forth in Sec. 29.4 of this part, and

(2) It is in conformity with the requirements of the Department's regulation on "Equal Employment Opportunity in Apprenticeship and Training" in 29 CFR part 30, as amended.

(c) Except as provided under paragraph (d) of this section, apprentices must be individually registered under a registered program. Such individual registration may be effected:

(1) By filing copies of each individual apprenticeship agreement with the Registration Agency; or

(2) Subject to prior Office of Apprenticeship or recognized State Apprenticeship Agency approval, by filing a master copy of such agreement followed by a listing of the name, and other required data, of each individual when apprenticed.

(d) The names of persons in probationary employment as an apprentice under an apprenticeship program registered by the Office of Apprenticeship or a recognized State Apprenticeship Agency, if not individually registered under such program, must be submitted within 45 days of employment to the Office of Apprenticeship or State Apprenticeship Agency for certification to establish the apprentice as eligible for such probationary employment.

(e) The appropriate Registration Agency must be notified within 45 days of persons who have successfully completed apprenticeship programs; and of transfers, suspensions, and cancellations of apprenticeship agreements and a statement of the reasons therefor.

(f) Operating apprenticeship programs, when approved by the Office

of Apprenticeship are accorded registration evidenced by a Certificate of Registration. Programs approved by recognized State Apprenticeship Agencies must be accorded registration and/or approval evidenced by a similar certificate or other written indicia. When approved by the Office of Apprenticeship, National Apprenticeship Guideline Standards for policy or guidance will be accorded a certificate.

(g) Applications for new programs that the Registration Agency preliminarily determines comply with this part must be given provisional approval for a period of 1 year. All new programs must be reviewed for quality and for conformity with the requirements of this part at the end of the first year and the findings must be filed with the Registration Agency. Programs not in operation or not conforming to regulations during the provisional approval period, must be recommended to the Registration Agency for deregistration procedures. After the initial review, all programs not recommended for deregistration will continue to be provisionally approved and must be reviewed for quality and for conformity with the requirements of this part at the completion of the first full training cycle.

(h) A satisfactory review at the end of the first full training cycle will result in the removal of provisional approval. Subsequent reviews will be normally completed on a 5 year cycle. Programs not in operation or not conforming to regulations during the first full training cycle must be recommended to the Registration Agency for deregistration procedures.

(i) Any sponsor proposals or applications for modification(s) or change(s) to registered programs or certified National Guidelines for Apprenticeship Standards must be submitted to the Registration Agency. The Registration Agency must make a determination on whether to approve such submissions within 45 days from the date of receipt. If approved, the modification(s) or change(s) will be recorded and acknowledged within 45 days as an amendment to such program. If not approved, the sponsor must be notified of the disapproval and provided the appropriate technical assistance.

(j) Under a program proposed for registration by an employer or employers' association, where the standards, collective bargaining agreement or other instrument, provides for participation by a union in any manner in the operation of the substantive matters of the apprenticeship program, and such participation is exercised, written acknowledgement of union agreement or no objection to the registration is required. Where no such participation is evidenced and practiced, the employer or employers' association must simultaneously furnish to the existing union, which is the collective bargaining agent of the employees to be trained, a copy of its application for registration and of the apprenticeship program. The Registration Agency must provide for receipt of union comments, if any, within 45 days before final action on the application for registration and/or approval.

(k) Where the employees to be trained have no collective bargaining agreement, an apprenticeship program may be proposed for registration by an employer or group of employers, or an employer association.

Sec. 29.4 Criteria for apprenticeable occupations.

An apprenticeable occupation is one which is specified by industry and which must:

(a) Involve skills that are customarily learned in a practical way through a structured, systematic program of on-the-job supervised

training.

(b) Be clearly identified and commonly recognized throughout an industry.

(c) Involve the progressive attainment of manual, mechanical or technical skills and knowledge which, in accordance with the industry standard for the occupation, requires the completion of at least 2,000 hours of on-the-job work experience to attain.

(d) Require related instruction to supplement the on-the-job training/learning.

Sec. 29.5 Standards of apprenticeship.

An apprenticeship program, to be eligible for approval and registration by a Registration Agency, must conform to the following standards:

(a) The program must have an organized, written plan (program standards) embodying the terms and conditions of employment, training, and supervision of one or more apprentices

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in an apprenticeable occupation, as defined in this part, and subscribed to by a sponsor who has undertaken to carry out the apprentice training program.

(b) The program standards must contain provisions that address:

(1) The employment and training of the apprentice in a skilled occupation.

(2) The term of apprenticeship, which for an individual apprentice may be measured either through the completion of the industry standard for on-the-job work experience (at least 2,000 hours) (time-based approach), the attainment of competency (competency-based approach), or a blend of the time-based and competency-based approaches (hybrid approach).

(i) The time-based approach measures skill acquisition through the individual apprentice's completion of at least 2,000 hours of on-the-job experience as described in work process schedule.

(ii) The competency-based approach measures skill acquisition through the individual apprentice's successful demonstration of acquired skills and knowledge, as verified by the program sponsor.

(iii) The hybrid approach measures the individual apprentice's skill acquisition through a combination of specified minimum number of hours of on-the-job work experience and the successful demonstration of competency as described in a work process schedule.

(3) An outline of the work processes in which the apprentice will receive supervised work experience and training on the job, and the allocation of the approximate amount of time to be spent in each major process.

(4) Provision for organized, related and supplemental instruction in technical subjects related to the occupation. A minimum of 144 hours for each year of apprenticeship is recommended. This instruction in technical subjects may be accomplished through such media as: Classroom, occupational or industry courses, electronic media, or other instruction approved by the administering Registration Agency. All apprenticeship instructors must meet the State Department of Education's requirements for vocational-technical instructor in the State of registration and/or be recognized as a subject matter expert,

for example, a journeyworker for specific instruction in an occupation or a math instructor to instruct the math portion of the related instruction. All instructors must have training in teaching techniques and adult learning styles.

(5) A progressively increasing schedule of wages to be paid to the apprentice consistent with the skill acquired. The entry wage must not be less than the minimum wage prescribed by the Fair Labor Standards Act, where applicable, unless a higher wage is required by other applicable Federal law, State law, respective regulations, or by collective bargaining agreement.

(6) Periodic review and evaluation of the apprentice's performance on the job and in related instruction; and the maintenance of appropriate progress records.

(7) A numeric ratio of apprentices to journeyworkers consistent with proper supervision, training, safety, and continuity of employment, and applicable provisions in collective bargaining agreements, except where such ratios are expressly prohibited for by the collective bargaining agreements. The ratio language must be specific and clearly described as to its application to the jobsite, work force, department or plant.

(8) A probationary period reasonable in relation to the full apprenticeship term, with full credit given for such period toward completion of apprenticeship.

(9) Adequate and safe equipment and facilities for training and supervision, and safety training for apprentices on the job and in related instruction.

(10) The minimum qualifications required by a sponsor for persons entering the apprenticeship program, with an eligible starting age not less than 16 years.

(11) The placement of an apprentice under a written Apprenticeship Agreement that meets the requirements of Sec. 29.7 or the State apprenticeship law of a recognized Registration Agency. The agreement must directly, or by reference, incorporate the standards of the program as part of the agreement.

(12) The granting of advanced standing or credit for demonstrated competency, acquired experience, training, or skills for all applicants equally, with commensurate wages for any progression step so granted.

(13) The transfer of an apprentice between apprenticeship programs and within an apprenticeship program, whether at the initiative of the apprentice or the initiative of the employer or the program sponsor. Transfers must occur without adverse impact on the apprentice, the employer, or the program, and must comply with the following requirements:

(i) The transferring apprentice must be provided a transcript of related training and on-the-job learning by the committee or program sponsor;

(ii) Transfer must be to a related occupation or within the same occupation; and

(iii) A new apprenticeship agreement must be executed when the transfer occurs between program sponsors.

(14) Assurance of qualified training personnel and adequate supervision on the job.

(15) Recognition for successful completion of apprenticeship or attainment of an interim credential, as evidenced by an appropriate certificate issued by the Registration Agency.

(16) Identification of the Registration Agency.

(17) Provision for the registration, cancellation and

deregistration of the program; and for the prompt submission of any program standard modification or amendment to the Registration Agency for approval.

(18) Provision for registration of apprenticeship agreements, modifications, and amendments; notice to the Registration Agency of persons who have successfully completed apprenticeship programs; and notice of transfers, suspensions, and cancellations of apprenticeship agreements and a statement of the reasons therefore.

(19) Authority for the cancellation of an apprenticeship agreement during the probationary period by either party without stated cause; cancellation during the probationary period will not have an adverse impact on the sponsor's completion rate.

(20) Compliance with 29 CFR part 30, including the equal opportunity pledge prescribed in 29 CFR 30.3(b); an affirmative action plan complying with 29 CFR 30.4; and a method for the selection of apprentices authorized by 29 CFR 30.5, or compliance with parallel requirements contained in a State plan for equal opportunity in apprenticeship adopted pursuant to 29 CFR part 30 and approved by the Department. The apprenticeship standards must also include a statement that the program will be conducted, operated and administered in conformity with applicable provisions of 29 CFR part 30, as amended, or, if applicable, an approved State plan for equal opportunity in apprenticeship.

(21) Contact information (name, address, telephone number and e-mail address if appropriate) of the appropriate authority under the program to receive, process and make disposition of complaints.

(22) Recording and maintenance of all records concerning apprenticeship as may be required by the Office of Apprenticeship or recognized State

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Apprenticeship Agency and other applicable law.

Sec. 29.6 Program performance standards.

(a) Every registered apprenticeship program must have at least one registered apprentice.

(b) In order to evaluate performance of a registered apprenticeship program, the tools and factors to be considered must include, but are not limited to:

- (1) Quality assurance assessments;
- (2) Equal Employment Opportunity (EEO) Compliance Reviews; and
- (3) Completion rates.

(c) In order to evaluate completion rates, like industry and occupation programs of the same geographical areas may be evaluated. Programs with dramatically different completion rates will be subject to further review. Based on the review, the Registration Agency will provide technical assistance or take other appropriate action.

(d) Cancellation of apprenticeship agreements during the probationary period will not have an adverse impact on a sponsor's completion rate.

Sec. 29.7 Apprenticeship agreement.

The apprenticeship agreement must contain explicitly or by reference:

(a) Names and signatures of the contracting parties (apprentice, and the program sponsor or employer), and the signature of a parent or guardian if the apprentice is a minor.

(b) The date of birth and, on a voluntary basis, Social Security number of the apprentice.

(c) Contact information of the Program Sponsor and Registration Agency.

(d) A statement of the occupation in which the apprentice is to be trained, and the beginning date and term (duration) of apprenticeship.

(e) A statement showing:

(1) The number of hours to be spent by the apprentice in work on the job in a time-based program, or a description of the skill sets to be attained by completion of a competency-based program; or the minimum number of hours to be spent by the apprentice and a description of the skill sets to be attained by completion of hybrid program; and

(2) The number of hours to be spent in related and supplemental instruction in technical subjects related to the occupation, which is recommended to be not less than 144 hours per year.

(f) A statement setting forth a schedule of the work processes in the occupation or industry divisions in which the apprentice is to be trained and the approximate time to be spent at each process.

(g) A statement of the graduated scale of wages to be paid the apprentice and whether or not the required school time is compensated.

(h) Statements providing:

(1) For a specific period of probation during which the apprenticeship agreement may be cancelled by either party to the agreement upon written notice to the registration agency, without adverse impact on the sponsor.

(2) That, after the probationary period, the agreement may be:

(i) Cancelled at the request of the apprentice, or

(ii) Suspended, or cancelled by the sponsor, for good cause, with due notice to the apprentice and a reasonable opportunity for corrective action, and with written notice to the apprentice and to the Registration Agency of the final action taken.

(i) A reference incorporating as part of the agreement the standards of the apprenticeship program as they exist on the date of the agreement and as they may be amended during the period of the agreement.

(j) A statement that the apprentice will be accorded equal opportunity in all phases of apprenticeship employment and training, without discrimination because of race, color, religion, national origin, or sex.

(k) Contact information (name, address, phone and e-mail if appropriate) of the appropriate authority, designated under the program to receive, process and make disposition of controversies or differences arising out of the apprenticeship agreement when the controversies or differences cannot be adjusted locally or resolved in accordance with the established procedure or applicable collective bargaining provisions.

Sec. 29.8 Deregistration of a registered program.

Deregistration of a program may be effected upon the voluntary action of the sponsor by submitting a request for cancellation of the

registration in accordance with paragraph (a) of this section, or upon reasonable cause, by the Registration Agency instituting formal deregistration proceedings in accordance with paragraph (b) of this section.

(a) Deregistration at the request of the sponsor. The Registration Agency may cancel the registration of an apprenticeship program by written acknowledgment of such request stating the following matters:

(1) The registration is cancelled at the sponsor's request, and the effective date thereof;

(2) That, within 15 days of the date of the acknowledgment, the sponsor will notify all apprentices of such cancellation and the effective date; that such cancellation automatically deprives the apprentice of individual registration; that the deregistration of the program removes the apprentice from coverage for Federal purposes which require the Secretary of Labor's approval of an apprenticeship program, and that all apprentices are referred to the Registration Agency for information about potential transfer to other registered apprenticeship programs.

(b) Deregistration by the Registration Agency upon reasonable cause.

(1) Deregistration proceedings may be undertaken when the apprenticeship program is not conducted, operated, and administered in accordance with the program's registered provisions or with the requirements of this part. Deregistration proceedings for violation of equal opportunity requirements must be processed in accordance with the provisions under 29 CFR part 30, as amended.

(2) Where it appears the program is not being operated in accordance with the registered standards or with requirements of this part, the Registration Agency must so notify the program sponsor in writing.

(3) The notice sent to the program sponsor's contact person must:

(i) Be sent by registered or certified mail, with return receipt requested;

(ii) State the shortcoming(s) and the remedy required; and

(iii) State that a determination of reasonable cause for deregistration will be made unless corrective action is effected within 30 days.

(4) Upon request by the sponsor for good cause, the 30-day term may be extended for another 30 days. During the period for corrective action, the Registration Agency must assist the sponsor in every reasonable way to achieve conformity.

(5) If the required correction is not effected within the allotted time, the Registration Agency must send a notice to the sponsor, by registered or certified mail, return receipt requested, stating the following:

(i) The notice is sent pursuant to this subsection;

(ii) Certain deficiencies were called to the sponsor's attention (enumerating them and the remedial measures requested, with the dates of such occasions and letters), and that the sponsor has failed or refused to effect correction;

(iii) Based upon the stated deficiencies and failure to remedy them, a determination has been made that there is reasonable cause to deregister the program and the program may be deregistered unless, within 15 days of

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the receipt of this notice, the sponsor requests a hearing with the applicable Registration Agency; and

(iv) If the sponsor does not request a hearing, the entire matter will be submitted to the Administrator, Office of Apprenticeship, for a decision on the record with respect to deregistration.

(6) If the sponsor does not request a hearing, the Registration Agency will transmit to the Administrator, a report containing all pertinent facts and circumstances concerning the nonconformity, including the findings and recommendation for deregistration, and copies of all relevant documents and records. Statements concerning interviews, meetings and conferences will include the time, date, place, and persons present. The Administrator will make a final order on the basis of the record presented.

(7) If the sponsor requests a hearing, the Registration Agency will transmit to the Administrator, a report containing all the data listed in paragraph (b) (6) of this section and the Administrator will refer the matter to the Office of Administrative Law Judges. An Administrative Law Judge will convene a hearing in accordance with Sec. 29.10; and submit proposed findings and a recommended decision to the Administrative Review Board for final agency action.

(8) Every order of deregistration must contain a provision that the sponsor must, within 15 days of the effective date of the order, notify all registered apprentices of the deregistration of the program; the effective date thereof; that such cancellation automatically deprives the apprentice of individual registration; that the deregistration removes the apprentice from coverage for Federal purposes which require the Secretary of Labor's approval of an apprenticeship program; and that all apprentices are referred to the Registration Agency for information about potential transfer to other registered apprenticeship programs.

Sec. 29.9 Reinstatement of program registration.

Any apprenticeship program deregistered under Sec. 29.8 of this part may be reinstated upon presentation of adequate evidence that the apprenticeship program is operating in accordance with this part. Such evidence must be presented to the Registration Agency.

Sec. 29.10 Hearings for deregistration.

(a) Within 10 days of receipt of a request for a hearing, the Administrator of the Office of Apprenticeship must contact the Department's Office of Administrative Law Judges to request the designation of an Administrative Law Judge to preside over the hearing. The Administrative Law Judge shall give reasonable notice of such hearing by registered mail, return receipt requested, to the appropriate sponsor. Such notice will include:

- (1) A reasonable time and place of hearing;
- (2) A statement of the provisions of this part pursuant to which the hearing is to be held; and
- (3) A concise statement of the matters pursuant to which the action forming the basis of the hearing is proposed to be taken.

(b) The procedures contained in 29 CFR part 18 will apply to the disposition of the request for review except that:

- (1) The Administrative Law Judge will receive, and make part of the

record, documentary evidence offered by any party and accepted at the hearing. Copies thereof will be made available by the party submitting the documentary evidence to any party to the hearing upon request.

(2) Technical rules of evidence will not apply to hearings conducted pursuant to this part, but rules or principles designed to assure production of the most credible evidence available and to subject testimony to test by cross-examination will be applied, where reasonably necessary, by the Administrative Law Judge conducting the hearing. The Administrative Law Judge may exclude irrelevant, immaterial, or unduly repetitious evidence.

(c) The Administrative Law Judge should issue a written decision within 90 days of the close of the hearing record. The Administrative Law Judge's decision constitutes final agency action unless, within 15 days from receipt of the decision, a party dissatisfied with the decision files a petition for review with the Administrative Review Board, specifically identifying the procedure, fact, law or policy to which exception is taken. Any exception not specifically urged is deemed to have been waived. A copy of the petition for review must be sent to the opposing party at the same time. Thereafter, the decision of the Administrative Law Judge remains final agency action unless the Administrative Review Board, within 30 days of the filing of the petition for review, notifies the parties that it has accepted the case for review. The Administrative Review Board may set a briefing schedule or decide the matter on the record. The Administrative Review Board must decide any case it accepts for review within 180 days of the close of the record. If not so decided, the Administrative Law Judge's decision constitutes final agency action.

Sec. 29.11 Limitations.

Nothing in this part or in any apprenticeship agreement will operate to invalidate:

(a) Any apprenticeship provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards; or

(b) Any special provision for veterans, minority persons, or women in the standards, apprentice qualifications or operation of the program, or in the apprenticeship agreement, which is not otherwise prohibited by law, Executive Order, or authorized regulation.

Sec. 29.12 Complaints.

(a) This section is not applicable to any complaint concerning discrimination or other equal opportunity matters; all such complaints must be submitted, processed and resolved in accordance with applicable provisions in 29 CFR part 30, as amended, or applicable provisions of a State Plan for Equal Employment Opportunity in Apprenticeship adopted pursuant to 29 CFR part 30 and approved by the Department.

(b) Except for matters described in paragraph (a) of this section, any controversy or difference arising under an apprenticeship agreement which cannot be adjusted locally and which is not covered by a collective bargaining agreement, may be submitted by an apprentice, or the apprentice's authorized representative, to the appropriate Registration Authority, either Federal or State, which has registered and/or approved the program in which the apprentice is enrolled, for

review. Matters covered by a collective bargaining agreement are not subject to such review.

(c) The complaint must be in writing and signed by the complainant, or authorized representative, and must be submitted within 60 days of the final local decision. It must set forth the specific matter(s) complained of, together with relevant facts and circumstances. Copies of pertinent documents and correspondence must accompany the complaint.

(d) The Office of Apprenticeship or recognized State Apprenticeship Agency, as appropriate, will render an opinion within 90 days after receipt of the complaint, based upon such investigation of the matters submitted as may be found necessary, and the record before it. During the 90-day period, the

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Office of Apprenticeship or recognized State Apprenticeship Agency will make reasonable efforts to effect a satisfactory resolution between the parties involved. If so resolved, the parties will be notified that the case is closed. Where an opinion is rendered, copies of same will be sent to all interested parties.

(e) Nothing in this section precludes an apprentice from pursuing any other remedy authorized under another Federal, State, or local law.

(f) A State Apprenticeship Agency may adopt a complaint review procedure differing in detail from that given in this section provided it is submitted for review and approval by the Office of Apprenticeship.

Sec. 29.13 Recognition of State apprenticeship agencies.

(a) Recognition. The Department may exercise its authority to grant recognition to a State Apprenticeship Agency. Recognition confers non-exclusive authority to determine whether an apprenticeship program conforms to the published standards and whether the program is, therefore, eligible for those Federal purposes which require such a determination by the Department. Such recognition shall be accorded upon the State's submission of, the Department's approval of, and the State's compliance with the following:

(1) The State Apprenticeship Agency must submit a State apprenticeship law, whether instituted through statute, Executive order, regulation, or other means, that conforms to the requirements of 29 CFR parts 29 and 30;

(2) The State Apprenticeship Agency must establish and continue to use a State Apprenticeship Council. The State Apprenticeship Council may be either regulatory or advisory and must meet the following requirements:

(i) It must be composed of persons familiar with apprenticeable occupations, and

(ii) It must include an equal number of representatives of employer and of employee organizations and include public members who shall not number in excess of the number named to represent either employer or employee organizations;

(3) The State Apprenticeship Agency must submit a State Plan for Equal Employment Opportunity in Apprenticeship that conforms to the requirements published in 29 CFR part 30;

(4) The State Apprenticeship Agency's submission must include a description of the basic standards, criteria, and requirements for

program registration and/or approval;

(5) The State Apprenticeship Agency's submission must include a description of policies and operating procedures which depart from or impose requirements in addition to those prescribed in this part; and

(6) The State Apprenticeship Agency's submission must include a description of policies, procedures, and plans that demonstrate how the State's economic development strategies and public workforce investment system incorporate and integrate registered apprenticeship as a critical post-secondary education, training, and employment option available through the One Stop Career Center system.

(b) Basic requirements. In order to obtain and maintain recognition as provided under paragraph (a) of this section, the State Apprenticeship Agency must conform to the requirements of this part. To accomplish this, the State must:

(1) Establish and maintain an administrative entity (the State Apprenticeship Agency) that is capable of performing the functions of a Registration Agency under 29 CFR part 29;

(2) Allocate sufficient staff and budget to carry out the functions of a Registration Agency, including: Outreach and education; registration of programs and apprentices; provision of technical assistance, and monitoring as required to fulfill the requirements of this part;

(3) Clearly delineate the respective powers and duties of the State office, the State Apprenticeship Agency, and of the State Apprenticeship Council;

(4) Establish policies and procedures to promote equality of opportunity in apprenticeship programs pursuant to a State Plan for Equal Employment Opportunity in Apprenticeship which adopts and implements the requirements of 29 CFR part 30, as amended, and to require apprenticeship programs to operate in conformity with such State Plan and 29 CFR part 30, as amended;

(5) Prescribe the contents of apprenticeship agreements, in conformity with Sec. 29.7 of this part;

(6) Ensure that the registration of apprenticeship programs occurs only in apprenticeable occupations as provided in Sec. 29.4, including occupations in high growth and high demand industries;

(7) Accord reciprocal approval for Federal purposes to apprentices, apprenticeship programs and standards that are registered in other States by the Office of Apprenticeship or a Registration Agency if such reciprocity is requested by the apprenticeship program sponsor;

(8) Provide for the cancellation and/or deregistration programs, and for temporary suspension, cancellation, and/or deregistration of apprenticeship agreements; and

(9) Submit all proposed modifications in legislation, regulations, policies and/or operational procedures planned or anticipated by a State Apprenticeship Agency, either at the time of application for recognition or subsequently, to the Office of Apprenticeship for review, and obtain the Office of Apprenticeship's approval prior to implementation.

(c) Application for recognition. A State Apprenticeship Agency desiring new or continued recognition as a Registration Agency must submit to the Administrator, Office of Apprenticeship, the documentation specified in Sec. 29.13(a) of this part. A currently recognized State desiring continued recognition by the Office of Apprenticeship must submit to the Administrator, Office of Apprenticeship, the documentation specified in paragraph (a) of this section within 1 year of the effective date of the final rule. The

recognition of a currently recognized State shall continue for up to 1 year from the effective date of this regulation and during any extension period granted by the Administrator. An extension of time within which to comply with the requirements of this part may be granted by the Administrator for good cause upon written request by the State, but the Administrator shall not extend the time for submission of the documentation required by paragraph (a) of this section. Upon approval of the State Apprenticeship Agency's application for recognition and any subsequent modifications to this application as required under paragraph (b) (9) of this section, the Administrator shall so notify the State Apprenticeship Agency in writing.

(d) Duration of recognition. The recognition of a State Apprenticeship Agency shall last for 5 years from the date recognition is granted under paragraph (c) of this section. The Administrator shall notify each State Registration Agency at least 180 days prior to the expiration of the 5-year period whether the Registration Agency is in conformity with this part. If the notification states that the State Apprenticeship Agency is in conformity, recognition will be renewed for an additional 5-year period. If the notification states that the State Apprenticeship Agency is not in conformity, the notification shall specify the areas of non-conformity, require corrective action, and offer technical assistance. After the

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Administrator determines that a State Apprenticeship Agency has corrected the identified non-conformities, recognition will be renewed for an additional 5-year period.

(e) Compliance. The Office of Apprenticeship will monitor a State Registration Agency for compliance with the recognition requirements of this part through:

(1) On-site reviews conducted by Office of Apprenticeship staff.

(2) Self-assessment reports, as required by Office of Apprenticeship.

(3) Review of State Apprenticeship Agency legislation, regulations, policies, and/or operating procedures required to be submitted under paragraphs (a) (1), (a) (5) and (b) (9) of this section for review and approval as required under Sec. 29.13(a).

(4) Determination whether, based on the review performed under paragraphs (e) (1), (2), and (3) of this section, the State Registration Agency is in compliance with part 29. Notice to the State Registration Agency of the determination will be given within 45 days of receipt of proposed modifications to legislation, regulations, policies, and/or operational procedures required under paragraphs (a) (1), (a) (5) and (b) (9) of this section.

(f) Accountability/Remedies for non-conformity.

(1) State Registration Agencies that fail to maintain compliance with the requirements of this part, as provided under paragraph (e) above, will:

(i) Receive technical assistance from Office of Apprenticeship in an effort to remedy the non-conforming activity; and

(ii) Be placed on ``Conditional Recognition'' for a period of 45 days during which the State Apprenticeship Agency must submit a corrective action plan to remedy the non-conforming activity. Upon request from the State Apprenticeship Agency for good cause, the 45-day period may be extended.

(2) Failure to comply with these requirements will result in

rescission of recognition, for Federal Purposes as provided under Sec. 29.14.

(g) Denial of State Apprenticeship Agency Recognition. A denial by the Office of Apprenticeship of a State Apprenticeship Agency's application for new or continued recognition must be in writing and must set forth the reasons for denial. The notice must be sent by certified mail, return receipt requested. In addition to the reasons stated for the denial, the notice must specify the remedies which must be undertaken prior to consideration of a resubmitted request. A request for administrative review of a denial of recognition may be made within 30 calendar days of receipt of the notice of denial by the Department. Such request must be made by mail and addressed to the Chief Administrative Law Judge for the Department. The mailing address is Office of Administrative Law Judges, U.S. Department of Labor, Suite 400 North, 800 K Street, NW., Washington, DC 20001-8002. Within 30 calendar days of the filing of the request for review, the Administrator must prepare an administrative record for submission to the Administrative Law Judge designated by the Chief Administrative Law Judge.

(1) The procedures contained in 29 CFR part 18 will apply to the disposition of the request for review except that:

(i) The Administrative Law Judge will receive, and make part of the record, documentary evidence offered by any party and accepted at the hearing. Copies thereof will be made available by the party submitting the documentary evidence to any party to the hearing upon request.

(ii) Technical rules of evidence will not apply to hearings conducted pursuant to this part, but rules or principles designed to assure production of the most credible evidence available and to subject testimony to test by cross-examination will be applied, where reasonably necessary, by the Administrative Law Judge conducting the hearing. The Administrative Law Judge may exclude irrelevant, immaterial, or unduly repetitious evidence.

(2) The Administrative Law Judge should submit proposed findings and a recommended decision and a certified record of the proceedings to the Administrative Review Board, within 90 calendar days after the close of the record.

(3) Within 20 days of the receipt of the recommended decision, any party may file exceptions. Any party may file a response to the exceptions filed by another party within 10 days of receipt of the exceptions. All exceptions and responses must be filed with the Administrative Review Board with copies served on all parties and amici.

(4) After the close of the period for filing exceptions and responses, the Administrative Review Board may issue a briefing schedule or may decide the matter on the record before it. The Administrative Review Board shall issue a final decision within 180 days after receipt of the record and the expiration of time for the filing of the appellate briefs. The decision of the Administrative Review Board constitutes final action by the Department.

(h) State apprenticeship programs.

(1) An apprenticeship program submitted to a State Registration Agency for registration must, for Federal purposes, be in conformity with the State apprenticeship law, regulations, and with the State Plan for Equal Employment Opportunity in Apprenticeship as submitted to and approved by the Office of Apprenticeship pursuant to 29 CFR 30.15, as amended.

(2) In the event that a State Apprenticeship Agency is not

recognized by the Office of Apprenticeship for Federal purposes or that such recognition has been withdrawn, or if no State Apprenticeship Agency exists, registration with the Office of Apprenticeship may be requested. Such registration must be granted if the program is conducted, administered and operated in accordance with the requirements of this part and the equal opportunity regulation in 29 CFR part 30, as amended.

(i) Withdrawal from recognition. Where a State Apprenticeship Agency's voluntarily relinquishes its recognition for Federal purposes, the State must:

(1) Send a formal notice of intent to the Administrator, Office of Apprenticeship;

(2) Provide all apprenticeship program standards, apprenticeship agreements, completion records, cancellation and suspension records, Equal Employment Opportunity Compliance Review files and any other documents relating to the State's apprenticeship programs, to the Department; and

(3) Cooperate fully during a transition period.

(j) Retention of authority. Notwithstanding any grant of recognition to a State Apprenticeship Agency under this section, the Office of Apprenticeship retains the full authority to register apprenticeship programs and apprentices in all States and Territories where the Office of Apprenticeship determines that such action is necessary to further the interests of the National Apprenticeship System.

Sec. 29.14 Derecognition of State apprenticeship agencies.

The recognition for Federal purposes of a State Apprenticeship Agency may be withdrawn for the failure to fulfill, or operate in conformity with, the requirements of parts 29 and 30. Derecognition proceedings for reasonable cause will be instituted in accordance with the following:

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(a) Derecognition proceedings for failure to adopt or properly enforce a State Plan for Equal Employment Opportunity in Apprenticeship must be processed in accordance with the procedures prescribed in 29 CFR 30.15.

(b) For causes other than those under paragraph (a) of this section, the Office of Apprenticeship must notify the respondent and appropriate State sponsors in writing, by certified mail, with return receipt requested. The notice must set forth the following:

(1) That reasonable cause exists to believe that the respondent has failed to fulfill or operate in conformity with the requirements of this part;

(2) The specific areas of nonconformity;

(3) The needed remedial measures; and

(4) That the Office of Apprenticeship proposes to withdraw recognition for Federal purposes unless corrective action is taken, or a hearing request mailed, within 30 days of the receipt of the notice.

(c) If, within the 30-day period, the State Apprenticeship Agency:

(1) Acknowledges that the State is out of conformity, specifies its proposed remedial action and commits itself to remedying the identified deficiencies, the Office of Apprenticeship will suspend the

derecognition process to allow reasonable period of time for the State Apprenticeship Agency to implement its corrective action plan.

(i) If the Office of Apprenticeship determines that the State's corrective action has addressed the identified concerns, the Office of Apprenticeship must so notify the State and the derecognition proceedings shall be terminated.

(ii) If the Office of Apprenticeship determines that the State has not addressed or failed to remedy the identified concerns, the Administrator must notify the State, in writing, of its failure, specifying the reasons therefore, and offer the State an opportunity to request a hearing within 30 days.

(2) Fails to comply or to request a hearing, the Office of Apprenticeship shall decide whether recognition should be withdrawn. If the decision is in the affirmative, the Administrator must begin the process of transferring registrations in paragraph (d).

(3) Requests a hearing:

(i) The Administrator shall refer the matter to the Office of Administrative Law Judges. An Administrative Law Judge will convene a hearing in accordance with Sec. 29.13(g) and submit proposed findings and a recommended decision to the Administrative Review Board for final agency action.

(d) If the Administrative Review Board determines to withdraw recognition for Federal purposes or if the Office of Apprenticeship has decided that recognition should be withdrawn under paragraph (c)(2) of this section, the Administrator must:

(1) Notify the registration agency and the State sponsors of such withdrawal and effect public notice of such withdrawal.

(2) Notify the sponsors that, 30 days after the date of the order withdrawing recognition of the State's registration agency, the Department shall cease to recognize, for Federal purposes, each apprenticeship program registered with the State Apprenticeship Agency, unless within that time, the sponsor requests registration with the Office of Apprenticeship.

(e) Apprenticeship program sponsors affected by derecognition of a State Apprenticeship Agency may request registration with the Office of Apprenticeship in accordance with the following:

(1) The Office of Apprenticeship may grant the request for registration on an interim basis. Continued recognition will be contingent upon its finding that the State apprenticeship program is operating in accordance with the requirements of this part and of 29 CFR part 30, as amended.

(2) The Office of Apprenticeship must make a finding on this issue within 30 days of receipt of the request.

(3) If the finding is in the negative, the State sponsor must be notified in writing that the interim registration with the Office of Apprenticeship has been revoked and that the program will be deregistered unless the sponsor requests a hearing within 15 days of the receipt of the notice. If a hearing is requested, the matter will be forwarded to the Office of Administrative Law Judges for a hearing in accordance with Sec. 29.10.

(4) If the finding is in the affirmative, the State sponsor must be notified in writing that the interim registration with the Office of Apprenticeship has been made permanent based upon compliance with the requirements of this part.

(f) If the sponsor fails to request registration with the Office of Apprenticeship, the written notice to such State sponsor must further advise the recipient that any actions or benefits applicable to

recognition for Federal purposes are no longer available to the participants in its apprenticeship program as of the date 30 days after the date of the order withdrawing recognition.

(g) Such notice must also direct the State sponsor to notify, within 15 days, all its registered apprentices of the withdrawal of recognition for Federal purposes; the effective date thereof; and that such withdrawal removes the apprentice from coverage under any Federal provision applicable to their individual registration under a program recognized or registered by the Secretary of Labor for Federal purposes. Such notice must direct that all apprentices are referred to the Office of Apprenticeship for information about potential transfer to other registered apprenticeship programs.

(h) Where a State Apprenticeship Agency's recognition for Federal purposes has been withdrawn; the State must:

(1) Provide all apprenticeship program standards, apprenticeship agreements, completion records, cancellation and suspension records, Equal Employment Opportunity Compliance Review files and any other documents relating to the State's apprenticeship programs, to the Department; and

(2) Cooperate fully during a transition period.

(i) A State Apprenticeship Agency whose recognition has been withdrawn under this part may have its recognition reinstated upon presentation of adequate evidence that it has fulfilled the requirements established in Sec. 29.13(i) and Sec. 29.14(g) and (h) and is operating in conformity with the requirements of this part.
[FR Doc. E7-24178 Filed 12-12-07; 8:45 am]

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Appendix F
USDOL TEGL No. 2-07

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Registered Apprenticeship/ Workforce Investment System
	CORRESPONDENCE SYMBOL OA/OWI
	DATE July 12, 2007

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 2-07

TO: ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE LIAISONS
ALL STATE WORKFORCE INVESTMENT BOARDS AND STAFF
ALL LOCAL WORKFORCE INVESTMENT BOARDS AND STAFF
ALL BUSINESS RELATIONS GROUP STATE LIAISONS
ALL STATE RAPID RESPONSE COORDINATORS
OFFICE OF APPRENTICESHIP FIELD TECHNICIANS
OFFICE OF APPRENTICESHIP STATE AND REGIONAL DIRECTORS
STATE APPRENTICESHIP DIRECTORS

FROM: EMILY STOVER DeROCCO
Assistant Secretary

SUBJECT: Leveraging Registered Apprenticeship as a Workforce Development Strategy for the Workforce Investment System

1. Purpose. The purpose of this Training and Employment Guidance Letter (TEGL) is to provide information and resources to support the use of Registered Apprenticeship by the workforce investment system as an effective approach to building a skilled and competitive workforce in regional economies.

The 21st century economy demands a workforce with postsecondary education credentials, and the adaptability to respond immediately to changing economic and business needs. The public workforce system is playing a leadership role in meeting these demands by catalyzing the implementation of innovative talent development and lifelong learning strategies that will enable American workers to advance their skills and remain competitive in the global economy. Registered Apprenticeship, a critical postsecondary education, training, and employment option available in every state in the country, is an important component of these talent development strategies. Registered Apprenticeship is business- and industry-driven, with more than 29,000 programs impacting 250,000 employers and almost 450,000 apprentices — predominantly in high-growth industries that face critical skilled worker shortages now and in the foreseeable future. Full collaboration between the publicly funded workforce investment system and Registered Apprenticeship leverages each system's strengths to maximize the benefits in the context of regional talent development strategies.

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This TEGl provides information, examples, and policy guidance to support the full integration of Registered Apprenticeship into workforce system activities. The document is one of a number of products that the Employment and Training Administration (ETA) is releasing to assist regions in developing Workforce Investment Act and apprenticeship efforts that are mutually supportive.

2. References. The Workforce Investment Act, Title I (P.L. 105-220 - August 7, 1998); 20 CFR parts 663, 665, and 666; National Apprenticeship Act (P.L. 75-308); The Wagner-Peyser Act (29 USC 49 et seq.); Training and Employment Guidance Letter No. 17-05, "Common Measures Policy for the Employment and Training Administration's Performance Accountability System and Related Performance Issues;" Training and Employment Guidance Letter No. 18-05, "Using Workforce Investment Act Funds to Serve Incumbent Workers and Employed Workers;" Training and Employment Guidance Letter No. 13-06, "Instructions for Workforce Investment Act and Wagner-Peyser Act State Planning and Waiver Requests for Years Three and Four of the Strategic Five-Year State Plan (Program Years 2007 and 2008);" Training and Employment Notice No. 17-06, "Vision for 21st Century Apprenticeship;" Training and Employment Guidance Letter No. 28-05: The Employment and Training Administration's (ETA's) New Strategic Vision for the Delivery of Youth Services Under the Workforce Investment Act (WIA): "Expanding ETA's Vision for the Delivery of Youth Services under WIA to include Indian and Native American Youth and Youth with Disabilities;" and Training and Employment Guidance Letter No. 3-04: "The Employment and Training Administration's (ETA's) New Strategic Vision for the Delivery of Youth Services Under the Workforce Investment Act (WIA)."

3. Overview of the National Registered Apprenticeship System. Registered Apprenticeship is a national training system that combines paid learning on-the-job and related technical and theoretical instruction in a skilled occupation. The purpose of a Registered Apprenticeship program is to enable employers to develop and apply industry standards to training programs that can increase productivity and improve the quality of the workforce. In the United States today, 250,000 separate employers offer Registered Apprenticeship employment and training to almost 450,000 apprentices in such industries as construction, manufacturing, transportation, telecommunications, information technology, biotechnology, retail, health care, the military, utilities, security, and the public sector. By providing on-the-job learning, related classroom instruction, and guaranteed wage structures, employers who sponsor apprentices provide incentives to attract and retain more highly qualified employees and improve productivity and services. Regions that adopt robust Registered Apprenticeship programs in the context of economic development strategies create seamless pipelines of skilled workers and flexible career pathways to meet current and future workforce demands.

Principal Partners. The National Registered Apprenticeship system is a partnership among DOL, State agencies, industry leaders, employers, employer associations, labor-management organizations (primarily consisting of labor organizations and employers), and educational institutions. Industries, in partnership with state and federal apprenticeship offices, develop and operate apprenticeship programs based on the skills and knowledge that business and industry needs from its employees, ensuring that apprentices develop up-to-date and relevant skills. Program sponsors, which include employers, employer associations, and labor-management

organizations, voluntarily operate and cover most or all costs of the program. The programs are registered with DOL or a federally recognized State Apprenticeship Agency (SAA). Through a formal apprenticeship agreement, program sponsors and apprentices agree to the requirements of the registered program.

The National Apprenticeship Act (NAA) (also known as the Fitzgerald Act), enacted in 1937, authorizes the Federal government, in cooperation with the states, to oversee the nation's apprenticeship system. DOL's Office of Apprenticeship (OA), in conjunction with SAAs, is responsible for registering apprenticeship programs that meet Federal and State standards, issuing Certificates of Completion to apprentices, encouraging the development of new programs through outreach and technical assistance, protecting the safety and welfare of apprentices, and assuring that all programs provide high quality training to their apprentices. DOL/OA staff in 24 states and SAA staff in 26 states, the District of Columbia, and three territories share these responsibilities.

Apprenticeship Program Structure. Registered Apprenticeship programs offer employment and a combination of on-the-job learning and related technical and theoretical instruction through a training provider. Apprentices are employed at the start of their apprenticeship and work through a series of defined curricula until the completion of their apprenticeship programs.

The duration of training, and the skills and competencies required for mastery, are driven by industry. Traditional apprenticeship programs require a specific number of hours of on-the-job training. Increasingly, industries are requiring competency-based training programs that reflect mastery of key skills and allow motivated workers to progress at their own pace. Currently, the Registered Apprenticeship system approves time-based, competency-based, and a hybrid of time- and competency-based programs, and helps industries transition to competency-based apprenticeship programs for enhanced effectiveness.

Certifications earned through Registered Apprenticeship programs are recognized nationwide as portable industry credentials. The primary apprentice certification is a Certificate of Completion, which is awarded at the end of the apprenticeship. Many apprenticeship programs - particularly in high-growth industries such as health care, advanced manufacturing and transportation - also offer interim credentials and training certificates based on a competency model that leads to a Certificate of Completion. There may be beginning, intermediate, advanced, and specialty certification levels. Registered Apprenticeship programs also allow credit for previous apprenticeship-related experience.

4. Pre-Apprenticeship Strategies. For workers who may not have the fundamental skills to succeed in a Registered Apprenticeship program and youth who are exploring career options, pre-apprenticeship training programs act as a bridge. These training programs, which are operated by education, community- or faith-based organizations, can help apprenticeship candidates decide on an occupational track, develop foundational skills, and improve productivity once employed. Pre-apprenticeship programs operate an approved plan under which candidates participate in a short, intensified training period in a school or training center, with the intent to place them into Registered Apprenticeships upon completion or soon after completion of the program. Pre-apprenticeship can be used as a means of selecting apprentices under a particular program sponsor's approved program standards. DOL recognizes pre-

apprenticeship programs, but does not formally register them. Many pre-apprenticeship programs also operate in partnership with the workforce investment system.

5. Benefits of the Registered Apprenticeship Training Model. Registered Apprenticeship is a key component to the nation's talent development strategies in many high demand industry sectors. This unique, industry-driven training is a proven, effective method with many benefits.

For employers, benefits include:

- Skilled workers trained to industry/employer specifications to produce quality results.
- Increased productivity and knowledge transfer due to well-developed on-the-job learning.
- Enhanced retention. In FY 2006, 82 percent of registered apprentices were still employed nine months after registration as apprentices.
- A stable pipeline of new skilled workers. Apprenticeship programs offer a predictable pipeline of program completers, while established pre-apprenticeship programs provide access to the next generation of workers.
- An emphasis on safety training that may reduce worker compensation costs.

For apprentices, benefits include:

- Immediate employment in jobs that usually pay higher wages and offer career growth opportunities. In FY 2006, the average starting wage for an apprentice was \$12.16.
- Higher quality of life and skills versatility.
- Portable credentials recognized nationally and often globally.
- Formal articulation agreements between apprenticeship training programs and 2- and 4-year colleges that create increased opportunities for college credit and future degrees.

6. Registered Apprenticeship Aligns with Workforce System Priorities. Registered Apprenticeship is a highly versatile training strategy that aligns with and advances the goals of key workforce investment system initiatives. Features of Registered Apprenticeship, including its customized format, the extensive industry knowledge of state and federal apprenticeship staff, and its significant employment, retention, and wage outcomes, make the program an effective means of meeting workforce system goals. By coordinating and collaborating with the knowledgeable professionals that make up the Registered Apprenticeship system, the workforce system can increase the quality of its services to both its employer and worker customers and enhance activities in support of current workforce system priorities. Apprenticeship is an important addition to the suite of potential education and training services the workforce system provides to its customers. Below are goals of the workforce system that can be met by incorporating apprenticeship as a workforce strategy.

Increasing access to workforce education and training. Adult learners with families and financial obligations frequently are unable to stop working while they gain additional education or workforce skills. Young adults may not be able to go to school full time without benefit of a job. Registered Apprenticeships are "earn and learn" opportunities and provide access to education and training that may not otherwise be accessible to many adults.

Designing innovative programs that fuel regional economic competitiveness and create employment opportunities for career seeker customers. Registered Apprenticeship training can be a valuable tool in the broader suite of talent development approaches that support competitive

regional economies and flexible talent that can adapt as jobs grow and/ or change. As an employer-driven model for competency development and skill mastery, Registered Apprenticeship can support the development and advancement of worker pipelines for both emerging and established employers and regional industry sectors. Because apprenticeship programs include immediate employment for apprentices, they are an excellent option for dislocated workers and others who are transitioning from declining industries. Registered Apprenticeship programs can also be an important part of industry growth strategies in regions where significant reskilling of the workforce needs to take place. Implementing apprenticeship and pre-apprenticeship models that are aligned with growth strategies for regionally-critical industry sectors and clusters creates opportunities for workers at all levels of the career ladder to up-skill and advance to meet evolving skill needs, and provides employers with the talented human capital needed for economic prosperity.

Meeting the needs of at-risk youth. Apprenticeship is an important talent development option for youth as they seek postsecondary education and training that will lead to career opportunities in demand-driven occupations. Registered Apprenticeship and pre-apprenticeship programs provide many benefits that allow the workforce investment system to respond to the call of DOL's Youth Vision. In addition to the industry-driven nature of apprenticeship training, apprenticeship involves high school, community colleges, and technical or alternative schools in the delivery of job-related classroom instruction. Apprenticeship also provides youth with the opportunity to earn while they learn, offers professional development and employability skills training curricula, such as that available from SkillsUSA, and incorporates instruction that leads to the completion of a high school diploma or GED.

7. Call to Integrate Apprenticeship throughout the Workforce Investment System. In a demand-driven environment, the public workforce system, at the federal, state, and local levels, works collaboratively with business and industry, economic development, education, training providers, and other key partners on talent development strategies and workforce solutions to provide workers with the skills businesses need. Registered Apprenticeship is a potential workforce solution that contributes to the development of industry-defined competencies, and also serves as a proven industry-driven workforce education and preparation strategy for workers.

The Registered Apprenticeship system is administered by ETA and represents a significant investment of knowledge, systems, and resources in our nation's talent development strategies. Registered Apprenticeship opportunities can and should be integrated throughout the workforce investment system as a means of leveraging resources across systems to better serve regional needs. In order to ensure that apprenticeship is consistently integrated into service delivery strategies for businesses and the workforce, it is critical to support collaboration between the apprenticeship infrastructure, the workforce investment system, and the continuum of education at all levels. Strategies for collaboration and integration are discussed below. Specific examples of state and local collaborative efforts are provided in more detail in Attachments A and B. Attachment C provides contact information for specific models. Attachment D provides informational tools and resources to support development of new registered apprenticeship opportunities and models.

WIA State and Local Strategic Planning. State and local Workforce Investment Boards (WIBs) have an opportunity to support integration of Registered Apprenticeship through their regular strategic planning processes for WIA and the Wagner-Peyser Act. One highly effective strategy is to include apprenticeship training as a workforce strategy in the WIA state and local plans as a workforce solution for growing skills in targeted industry sectors.

Business Engagement Strategies. WIBs and/ or One-Stop Career Centers can integrate apprenticeship into business engagement strategies by encouraging the development of new apprenticeship programs as a solution to meet business customer needs. WIBs and One-Stops can leverage business relationships and engage businesses jointly with apprenticeship staff. WIBs can further enhance strategic regional partnerships by integrating apprenticeship programming into their strategies for talent development and linking apprenticeship programs to other economic development entities and school district administrations, alternative education programs, adult basic education programs, prisons, and city, county, and state governments. An important asset that can be marketed to employers is the ability of apprenticeship staff to develop competency models which break the skills needed for any particular task into learning objects that then become the foundation for classroom curricula and training. This ensures that apprentices achieve the right skills to meet industry needs.

Expanding Available Eligible Training Providers for ITAs. The WIA statute and regulations explicitly provide for flexibility in determining registered apprenticeship training programs as initially eligible providers of ITA-funded training services. This enables expanding the available training options to ITA recipients. Specifically, the WIA regulations at 20 CFR 663.505(b)(2)(ii) identify entities that carry out programs under the National Apprenticeship Act (NAA) as potential eligible providers of training services, and the WIA regulations at 20 CFR 663.515(b) empower local WIBs to determine the eligible training provider application procedures for apprenticeship programs registered under the NAA. As such, apprenticeship programs may benefit from streamlined processes for becoming initially approved as eligible providers of training to ITA recipients, without having to undergo the standard State agency review process (20 CFR 663.515(d)).

One-Stop Career Center Operations. At the One-Stop Career Center level, a range of programmatic and operational activities can support closely integrated and coordinated functions.

- Career Guidance Strategies. Referral to apprenticeship and pre-apprenticeship programs can be routinely integrated into the career guidance and career exploration services offered through the One-Stop Career Center system, both virtually and as part of staff-assisted services.
- Service Delivery Design. Co-locating apprenticeship staff in One-Stop Career Centers allows them to work collaboratively with WIA case managers and veterans' representatives to place career seekers with apprenticeship sponsors and to market and establish programs. Even when programs are not co-located, One-Stop Career Center and Registered Apprenticeship staff can be encouraged to work together to market apprenticeship and refer appropriate candidates.
- Coordinated Education and Career Outreach. One-Stop Career Centers can cosponsor career fairs and other outreach activities related to education and career opportunities

with local representatives of the Registered Apprenticeship system, and can market apprenticeship opportunities to both employers and workers.

- Coordination for Pre-Apprenticeship. One-Stop Career Center staff can coordinate the development of pre-apprenticeship or training venues between participating Registered Apprenticeship programs and community-based organizations committed to provide related work experience to prepare candidates for Registered Apprenticeship.

Policy Development and Funding Strategies. Collaboration with apprenticeship can be further enhanced through the development of policies that facilitate and encourage partnership. For instance, states may issue policy to provide guidance around the operation of such partnerships, and to highlight models of successful collaboration. States and local areas may organize regular roundtables or other policy forums in which workforce system, apprenticeship system, education, and employer stakeholders are brought together to discuss policy issues and explore collaborative opportunities. State and local workforce system leaders may explore opportunities for leveraging existing workforce system funding with other funding sources to support and advance apprenticeship models. A more detailed discussion of opportunities to leverage funding follows.

8. Funding Sources to Support Registered Apprenticeship. Historically, employers, industry associations, and labor-management organizations have been instrumental in developing and funding Registered Apprenticeship programs. The public workforce system has an important role to play in leveraging and advancing these investments. This can be accomplished both through workforce system funding strategies, and through the system's unique position as the convener and catalyst of a broad array of workforce and economic development partners, all of whom have a stake in the acceleration of competency-based education and training models that enable workers to meet the evolving skill needs of the 21st century work environment. Workforce system leaders, with their education and employer partners, can play the critical role of identifying and aligning funding that may support both theoretical and practical education, advancing skills upgrading models, and supporting workers' career advancement based on increasing mastery of the skills required in current and emerging workplaces. In today's economy, states and economic regions must continuously identify new approaches to ensuring that the education levels of the current and projected workforce align with the anticipated skill and competency needs of both established and emerging industries. The workforce system can support these efforts by ensuring that the full complement of education, employer, and economic development partners, including new or "non-traditional" partners, are at the table and involved in discussions related to the alignment and commitment of resources to support innovative training and advancement models.

Leveraging Workforce Investment Act Funding. Ensuring that apprenticeship is included as part of the full complement of education and training resources provided to job seekers and employers presents multiple opportunities for the public workforce system to leverage WIA funds in innovative and creative ways. The Workforce Investment Act provides the workforce system with significant flexibility to implement responsive training and education solutions, and state and local workforce system leaders are urged to consider ways in which their existing WIA training resources may be invested strategically to support apprentices and apprenticeship sponsors. For example, while most Registered Apprenticeship programs are funded by program sponsors, the workforce system can help to expand apprenticeship programs regionally by

strategically deploying WIA funds to temporarily offset training costs for employers who might need to understand the potential returns on their investment before undertaking significant training costs. See Attachment B for specific examples of how states are using WIA funds to offset training costs.

Individual Training Accounts (ITAs)

ITAs, described at 20 CFR 663.400 - 663.440, are training and education financing accounts established on behalf of eligible adults and dislocated workers that enable these individuals to purchase training for in-demand occupations and careers from eligible providers of their own choosing. Both employed and unemployed adults and dislocated workers may be eligible to receive ITAs, though employed individuals must be determined to be in need of training services to obtain or retain employment that leads to self-sufficiency in order to receive ITAs (see 20 CFR 663.220 (b), 20 CFR 663.230, and 20 CFR 663.310, as well as the Preamble to the Final Rule for WIA, 65 Fed. Reg. 49294, 49326, Aug. 11, 2000). As the primary method of training service purchase and delivery in the public workforce system, ITAs can provide eligible apprentices with financial support for the related instruction portion of their apprenticeships. In addition, ITAs may be used to provide eligible individuals with access to pre-apprenticeship training in preparation for formal apprenticeships.

The use of ITAs to support the related instruction (e.g., classroom and distance learning) portion of apprenticeship training or pre-apprenticeship training may be advantageous for a number of reasons. ITAs support customer choice in selecting training providers, empowering apprentices and pre-apprentices to make informed education and career decisions. WIA funded training must be directly linked to employment opportunities in the local area (20 CFR 663.310(c)). This can be a useful tool to support Registered Apprenticeships' focus upon employer-driven training design and delivery.

When WIBS and One-Stop Career Centers use ITAs as a mechanism to support apprenticeships, it is important to remember the eligibility requirements associated with the WIA Adult and Dislocated Worker programs. Another consideration to keep in mind is that ITAs are only available to eligible individuals who are unable to obtain grant assistance from other sources to pay for education and training (such as State-funded training funds, Pell Grants, and Trade Adjustment Assistance), or who require assistance beyond that which is available from other grant sources in order to pay for the costs of training (see 20 CFR 663.310(d) and 20 CFR 663.320(a)(2)). The intent of these limitations is to ensure that complementary education and training resources are leveraged to the greatest extent possible, and to reduce duplication in service provision. Thus, in designing education, apprenticeship program sponsors and local WIBS should jointly identify the full complement of education and training funding available in the area.

Customized Training Models

When working with employers on training and workforce solutions, WIBS and One-Stop Career Centers may find it valuable to utilize customized training to subsidize the classroom training portion of an apprenticeship model. For example, a local WIB could offer a particular course of training for apprenticeship sponsors in a targeted sector, such as advanced manufacturing, across a region whose economic base revolves around this sector.

Local WIBs could also offer "linked" courses of training across connected industry sectors, such as construction and transportation, to more broadly support the economic clusters driving job growth in that particular region. This approach provides the ability to leverage employer investments with WIA funding to increase the skilled labor pool in a regional economy.

Customized training is typically based upon a contractual agreement between a local WIB and an employer (or group of employers) to provide specialized training to employees. Under WIA, both potential new hires and incumbent employees may participate in customized training, though incumbent employees must be determined by the local WIB to not be earning self-sufficient wages in order to participate (20 CFR 663.720(a)), and their training must be related to the introduction of new technologies in the workplace, skills upgrading for new jobs, or other related purposes (20 CFR 663.720(c)).

Customized training arrangements entail the commitment by the employer to hire trainees after successful training completion, or to continue to employ incumbent employees after successful training completion (20 CFR 663.715(b)). In addition, employers that enter into customized training agreements under WIA typically pay for at least 50 percent of the cost of the training (20 CFR 663.715(c)), though ETA has granted waivers of this matching requirement to allow for employer match on a sliding scale, based upon business size. Under the waiver, the following scale is permitted in two targeted categories of business with 100 or fewer employees:

- No less than 10 percent match for employers with 50 or fewer employees, and
- No less than 25 percent match for employers with 51 -100 employees.

WIA-funded customized training models offer several operational advantages that facilitate their use in the Registered Apprenticeship context. Customized training may be designed and delivered for multiple employers, such as in an industry sector, or for groups of targeted employees of a single employer, creating the opportunity to develop economies of scale that truly maximize and leverage the contribution of the workforce system and participating employers. In addition, while providers of customized training must meet the performance requirements outlined at 20 CFR 663.595, they are not subject to the other requirements for eligible training providers outlined in 20 CFR 663, Subpart E, or in WIA Section 122. These streamlined requirements for eligible providers of customized training may facilitate the ability of apprenticeship sponsors to collaborate with the public workforce system in the design and delivery of programs of customized training. Finally, in states that have obtained waivers to permit small- and medium-sized employers to fund customized training on a sliding scale below the mandated 50 percent, customized training provides a flexible model for assisting these smaller businesses in expanding their talent pool and upgrading the skill levels of current employees.

On-the-Job Training (OJT)

Defined at WIA Section 101(31), OJT can be a useful training methodology for employers wishing to upgrade the skills of new hires and incumbent workers and keep workplaces current with the evolving skill and technology demands of the 21st century economy. Under traditional OJT partnerships, employers fund and deliver skills upgrade training at the workplace to participating employees, and the public workforce system leverages employers' training investments by contributing up to 50 percent of the OJT participants' wages, in recognition of the

costs associated with providing the training (20 CFR 663.710). Like customized training models, OJT may provide apprenticeship sponsors with a talent development strategy that supports apprentices' increasing mastery of technical skills. Furthermore, because the content of OJT is largely designed by employers, the workforce system may find that this training model is an attractive tool for increasing and expanding its partnership with Registered Apprenticeship programs.

Similar to WIA-funded customized training models, OJT also offers several operational advantages that may facilitate workforce system and Registered Apprenticeship collaboration. Like providers of customized training, providers of OJT may take advantage of the streamlined eligible training provider requirements outlined at 20 CFR 663.595. In addition, ETA has granted waivers to states to increase their capacity to offer OJT as a talent development strategy for small- and medium-sized businesses. Under this waiver, approved states may match employers' training contributions up to 75 percent for businesses with 100 or fewer employees, which may provide an attractive incentive for smaller apprenticeship sponsors to partner with the public workforce system in the design and delivery of the OJT component of Registered Apprenticeship.

WIA State-wide Reserve and Other State Funding Sources

Governor's statewide 15 percent funds, reserved under WIA Section 128(a) for statewide activities, provide the most flexible WIA funds available to states. Up to 15 percent of funds allotted to states for adult, dislocated worker, and youth activities may be reserved by the Governor for statewide workforce investment activities and may be combined and used for any of the activities authorized in WIA Sections 129(b), 134(a)(2)(B), or 134(a)(3)(A) (which are further described in 20 CFR 665.200 and 665.210) regardless of originating funding streams. The Act and the regulations identify required statewide activities and other optional activities; these lists, however, are not all-inclusive. States have considerable flexibility to develop and implement these and other activities, including apprenticeship and pre-apprenticeship models, using reserve funds, as long as these activities are consistent with the purpose of WIA. Because individuals served with Governor's 15 percent reserve funds are not subject to the eligibility requirements of the respective funding streams from which the reserve is drawn, these funds offer a particularly flexible way to develop and grow training and education partnerships for pre-apprentices and apprentices.

Local activities funded with WIA Adult and Dislocated Worker program formula funds must conform with the eligibility requirements associated with these funding streams. States may want to seek waiver authority to allow greater flexibility in using funds to support apprenticeships. ETA has granted waivers to states to enable local areas to use up to 50% of their Adult and Dislocated Worker funds as though it were state set-aside funding, which makes the funding much more flexible and eliminates the need to determine eligibility.

In addition, incentive funds received by states under WIA Title V - General Provisions, Sections 503(a) and 503(b) and described at 20 CFR 666.200 and 666.210 are also highly flexible, and provide an opportunity for states to implement creative programs in partnership with apprenticeship sponsors. States may use these funds to carry out innovative programs under WIA Titles I and II and the Carl D. Perkins Vocational and Technical Education Act, regardless of which Act is the source of the incentive funds.

Should states wish to modify their approved incentive grant plans and corresponding grant documents to incorporate models for leveraging incentive funding for pre-apprenticeship and/ or Registered Apprenticeship, the Department will work with states to make any necessary and allowable modifications.

State workforce system leaders and apprenticeship stakeholders are strongly encouraged to consider other state funding sources to support and advance innovative pre-apprenticeship and Registered Apprenticeship. Other potential sources of funding for apprenticeship programs include state general revenue funds as well as other funds appropriated by state legislatures, such as state education monies targeted for career and technical education.

9. WIA Performance Measures and Apprenticeship. Apprenticeship strategies offer the opportunity for states and local WIBs to enhance their performance under the Workforce Investment Act. Apprenticeship is a proven model for effectively educating and training workers, promoting retention, and advancing the apprentice's career and earnings. Below is information related to performance measurement that may be useful to consider when integrating apprenticeship as an employment or training opportunity provided under WIA and/ or Wagner-Peyser.

Registered Apprenticeship as Employment. WIA and Wagner-Peyser clients who receive core and intensive services resulting in their entry into a Registered Apprenticeship program become employees of the Registered Apprenticeship sponsor and can be tracked against Common Measures associated with employment.

Registered Apprenticeship as Training. Apprentices who receive WIA services after enrollment in Registered Apprenticeship to support classroom or on-the-job training, or to provide other services, should be treated as incumbent workers. Retention and earnings outcomes should be tracked in this case, but not the placement outcome.

Identifying the Point of Exit. For the purposes of tracking and common measures, WIA and Wagner-Peyser clients associated with apprenticeship programs should be exited from the workforce system after the completion of WIA/Wagner-Peyser associated activities. It is not necessary to track apprentices through to the completion of their apprenticeship program unless they are supported by workforce system resources for the entire duration. Thus, an apprentice who receives workforce system resources to support specific portions of classroom training may be exited from the program upon completion of that training, even if they continue in the apprenticeship program for a longer period of time.

Tracking Earned Credentials. The workforce system should track only those credentials that are earned by an apprentice while they are enrolled in WIA or Wagner-Peyser. Where tracking of earned credentials is required, the workforce system should track the interim credential earned by the apprentice while co-enrolled. For example, apprentices in competency-based programs may receive a Certificate of Training upon completion of each level working towards a Certificate of Completion. Additionally, many apprenticeship sponsors have negotiated articulation agreements with community and technical colleges that give college credit for the related instruction component of the program. All of these interim credentials may be recorded as appropriate credentials for the purposes of reporting under the Common Measures.

Please note that the DOL Office of Apprenticeship (OA) tracks cohorts of apprentices throughout their participation in the Registered Apprenticeship system for the purpose of reporting outcomes and drawing conclusions about program effectiveness. The Common Measures are also used for this purpose.

10. Action Required. Registered Apprenticeship is a critical component of talent development strategies across the country. With the combination of on-the-job learning, related instruction, and mentoring, the apprenticeship model is a powerful tool for addressing the skill shortages that many industries face. It also provides the grounded expertise and knowledge individuals need to do their jobs well and advance in their careers. The model offers an efficient, flexible training strategy, responsive to new technology that will keep workers up-to-date on skills they need to do their jobs.

In the current environment of global economic competition, it is critical that the workforce investment system integrate the resources of the Registered Apprenticeship system into its talent development strategies. ETA urges state and local leaders to consider the benefits of Registered Apprenticeship while developing their workforce investment systems plans and programs and to fully utilize apprenticeship as a unique model that incorporates employment, postsecondary education, and training. Some next steps to consider include.

- Mapping existing Registered Apprenticeship programs in your region.
- Strengthening collaborative relationships between WIBs and apprenticeship staff to explore opportunities to leverage Registered Apprenticeship as a significant workforce development strategy.
- Educating One-Stops Career Centers and WIBs about Registered Apprenticeship, including how to collaborate with apprenticeship staff, how to use WIA funding in support of Registered Apprenticeship, and how Registered Apprenticeship applies to performance outcomes under the Common Measures.
- Discussing apprenticeship as a workforce tool with leaders focused on workforce issues, such as legislators, governor, mayors, county executives, council members, and department heads, and sharing with them the concepts addressed in this TEGE.
- Adopting policies and procedures to better integrate Registered Apprenticeship training as an option offered by the workforce investment system using, but not limited to, the examples found in this TEGE.
- Encouraging Registered Apprenticeship sponsors to contact their local WIBs to inform them about their training programs, inquire about becoming eligible training providers, and discuss opportunities for collaboration and partnership.

11. Inquiries. Questions should be directed to the appropriate ETA Regional Office, Office of Apprenticeship Regional Director, or State Director. Contact information can be found in Attachment D.

Attachment A

Promising Practices in Integrating Registered Apprenticeship and Public Workforce System Activities

Several states have integrated the Registered Apprenticeship model at various levels of state government as a tool to help employers meet their workforce needs and for individuals—from high school to adult learners—to enhance their career paths. Although no state is yet using the model to its maximum capacity, several states are creatively applying Registered Apprenticeship as an important workforce and career solution. The following are examples of some states that have used the Registered Apprenticeship model in innovative ways to address many economic development and workforce challenges of its business community.

Washington State

Leaders in Washington State have integrated Registered Apprenticeship into workforce strategies in a broad way. They not only use WIA funding to support training programs, but Registered Apprenticeship is included in the state strategic plan as a workforce tool. They also bring together support from other public sources, most notably the state legislature which has appropriated general funds for a variety of Registered Apprenticeship programs including outreach and awareness to schools and businesses and supporting related instruction and on-the-job training. WIA discretionary dollars have been used for programs; the WIBs and One-Stops have provided funding and support.

State Plan

The Washington State strategic workforce plan incorporates language calling for the expansion of Registered Apprenticeship training in emerging fields and expansion of preparation programs for apprenticeship in high-demand clusters. Additionally, they include language to develop new programs and to increase student enrollments and apprenticeship retention and completion.

As a result of the state's workforce policies on Registered Apprenticeship, Washington has—

- Advanced development of Registered Apprenticeship programs in health care, information technology, maritime/ transportation, energy, public utilities, and advanced manufacturing among the high-growth industries.

- Prepared individuals to enter Registered Apprenticeship programs or gain employment in supportive roles in industries that use the apprenticeship model.

- Supported projects to provide training to more than 500 pre-apprentices and apprentices in food processing, biotechnology, communications, health care, construction and manufacturing.

WIA Funding

WIA state-wide reserve funds have been used for Registered Apprenticeship programs through competitive solicitations.

Local WIBs and One-Stops

The Pierce County WIB funded an innovative program, *Get Electrified*, an Electrical School to Apprenticeship program, offered to high school juniors in the Tacoma School District. It is a pre-

apprenticeship program that prepares students to meet the rigorous application requirements of an electrical apprenticeship. During the nine-week summer program, students attend work and class and earn a wage for work done. Upon completion of high school, the graduate can enter a Registered Apprenticeship program in electrical work.

Apprenticeship Integration into K-12, and Post-secondary Education Systems

The state has embraced Registered Apprenticeship as a career path in and of itself as well as a path in conjunction with community college and a four-year degree, as many of the training programs require an advanced degree. Now state leaders see the importance of career and educational guidance starting in middle school and are incorporating information about apprenticeship into that effort.

The state legislature has recently funded an initiative by the Department of Labor and Industry to enhance an Educational Guidance model for 6th through 12th graders, *Navigation 101*, which shows students various careers and what classes and activities they need to pursue for the job. The model includes a lively, student-friendly website, curriculum, and other material. Information on Registered Apprenticeship is prominently featured.

The legislation also:

- Authorized existing Community Colleges' Centers of Excellence to compile and provide information related to grants, scholarships, job openings, and growth industries;
- Required the Washington State Apprenticeship and Training Council (WSATC) to lead an educational outreach program about apprenticeships for students and educators; and
- Required the Washington State Apprenticeship Training Council to manage direct-entry programs, including awarding ten incentive grants for school districts to negotiate and implement agreements with local apprenticeships.

Inter-agency collaborations

The legislature passed a law to allow the Washington State Department of Transportation to implement an apprenticeship program for Washington State Department of Transportation construction. This apprenticeship utilization requirement started with local municipalities and private contractors 12 years ago and has grown over the years to include school districts, counties, other state agencies and private work also to encourage the development of more opportunities for young people.

The Washington State Apprenticeship Program Manager is an active participant and member of the Washington State Workforce Education and Training Coordinating Board Interagency Committee and attends their regularly scheduled meetings. At these meetings, the program manager is able to talk with other state agencies' representatives about how apprenticeship can be better integrated with other State workforce investment system partners. Apprenticeship in Washington State aligns with the Governor's economic plan called "Next Washington" and the Workforce Board's "Washington Works" report that reviews the workforce development system.

Next steps

Washington State would like to develop structured training on Registered Apprenticeship for all One-Stop Career Center staff to be more effective in educating the business community about the benefits of Registered Apprenticeship.

Kansas

Kansas State leaders have recognized the value of Registered Apprenticeship as a tool to help employers meet their workforce needs and the overall necessity to link workforce development to economic development.

State Organization of Registered Apprenticeship in Workforce Development

The state has looked at how structurally it can best organize government functions to meet their goals. To this end, state government was reorganized with many workforce functions placed in the Commerce Department including Registered Apprenticeship, Veterans Affairs, and WIA functions. These programs had previously been in the State Department of Labor. Among some of the other structural shifts, several Registered Apprenticeship staff members are housed in One-Stops across the state so they can work with employers seeking assistance.

Internal Staff Development

To better train its own staff, and to address the newly established roles and responsibilities under Public Law 107-288 and the requirements to develop a certification program, the Department of Commerce established a Registered Apprenticeship program for Career Development Technician for the Disabled Veterans Outreach Program and Local Veterans Employment Representative staff.

WIA Funding

The state uses some of its 15 percent state set-aside funds to support Registered Apprenticeship staff.

Local WIBS and One-Stops

Several local WIBS fund components of Registered Apprenticeship programs including the cost of related instruction, uniforms and tools for apprentices. WIA Incumbent Worker monies are used to help Registered Apprenticeship programs in manufacturing, construction, and health care in four of the five workforce investment regions in the state. Additionally, the Department of Social and Rehabilitation Services funds the Early Childhood Associate Apprenticeship program through a grant.

Additional Examples of Apprenticeship Integration in the Workforce System

Action	State
Include apprenticeship in the WIA state plan	AK
	MO
	WA
Apprenticeship and WIA functions located in same department	HI
	KS
State Apprenticeship Council member sits on the state WIB	NC
Co-locate apprenticeship staff in One-Stop Career Centers	KS
	VT
One-Stop and Apprenticeship staff jointly market apprenticeship even when not co-located	NC
	OH
	OR
Use Registered Apprenticeship for staff development	KS
Link apprenticeship programs to other public entities such as school districts, prisons, and city, county and state governments.	PA
	NC
	OR
	WA
Integrate the apprenticeship electronic database with the state job-matching system	OH
	OR
	VT

Attachment B
Use of Workforce Investment Act Funds to Support Registered Apprenticeship

Activity				
Encourage entities to sponsor and register new programs and occupational training, including the cost of OJT and related instruction	Guam in partnership with the Guam Shipyard and Guam Power Authority. Since inception, nearly \$1.4 million in WIA funding has been invested in salaries, benefits, and educational assistance.	The Durham, North Carolina WIB recently issued a RFP for a health care initiative using the DOL Health Career Lattice model, which integrates apprenticeship for the Certified Nursing Assistant level. The Winston-Salem WIB granted \$15,000 to a tool & die trade program.	Pennsylvania's Job Ready program, which is a combination of WIA and private funds, supports apprenticeship training programs. The local WIBs also regularly support apprenticeship training.	The West Virginia State WIB has funded apprenticeship programs in aerospace and wastewater treatment.
Provide related instruction or other education that satisfies specific apprenticeship requirements.	Kansas WIBS pay the cost of related instruction and purchase uniforms and tools for apprentices.	The Winston-Salem, North Carolina WIB provided \$37,000 to a sponsor to pay for related instruction for the Senior Maintenance Tech trade.	South Dakota provides \$50,000 to 10 sponsors to help pay for related instruction from the Governor's WIA Discretionary Fund.	
Supplement Apprentices' wages	Idaho and Boise State University will fund a pilot project in Advanced Manufacturing. The state will use \$50,000 from WIA set-aside funds to pay half the apprentices' wages for the first three months. The university will fund the costs of related instruction for the first year.			
Provide on-the-job training/learning	Alaska's local workforce centers agree to pay up to 50 percent of the employers wage costs for the first 1,000 hours of apprenticeship. In this way, employers evaluate the trainee's soft skills and can make a reasonable assessment of the individual's capacity to complete the training.	Maryland used its WIA discretionary dollars to provide matching funds for customized training. In 2006, it granted a 50-50 match for an incumbent health care worker apprenticeship program.		

Disseminate information about apprenticeship programs	Many states routinely co-sponsor career expos with the state apprenticeship office and the federal Office of Apprenticeship.	Maryland's state WIB has provided \$50,000 of its performance measures incentive funding to the State Apprenticeship Agency to market apprenticeship in the state.		
Pre-apprenticeship or preparatory training designed to provide related work experience to prepare candidates for Registered Apprenticeship	California's Greater Long Beach WIB sponsors a Construction Jobs Initiative which provides pre-apprenticeship training and builds connections between the One-Stop Centers and Registered Apprenticeship programs.	Pennsylvania's Lancaster County WIB has partnered with the Keystone Chapter of the Association of Builders and Contractors to conduct pre-employment training; the Wilkes-Barre WIB is partnering with the Building and Construction Labor-Management Council and local school districts to prepare at-risk youth to enter into apprenticeship programs.	Washington State supports pre-apprenticeship programs for 500 individuals in food processing, biotechnology, communications, health care, construction and manufacturing from the Governor's WIA Discretionary Fund.	

Attachment B
Other Funding Sources for Apprenticeship Program

Activity			
Encourage entities to sponsor and register new programs and occupational training including the cost of OJT and related instruction	Alaska's Denali Fund uses state Department of Labor funds to support tuition, instructor's wages, books, tools, required clothing, incidental stipends, lodging, transportation, and administration.	Guam signed into law the Guam Registered Apprentice Program (GRAP) to invest in skilled training in the form of tax incentives	Vermont's Workforce Education and Training Fund, a state program funded by the state legislature to help employers with workforce development issues, has regularly funded apprenticeship proposals.
To provide related instruction or other education that satisfied specific apprenticeship requirements.	Seventy percent of Guam's Manpower Development Fund goes to the Apprenticeship Training Program at the Guam Community College. The revenue source is registration fees on nonimmigrant temporary workers.	Washington State Legislature awarded 10 incentive grants from the General Fund for school districts to negotiate and implement agreements with local apprenticeship programs.	The Texas Workforce Commission supports the apprenticeship program with \$1.6 million per year from General Revenue funds under Chapter 133 of the Texas Education Code. The program helps support the cost of classroom instruction.
To provide on-the-job training/learning	Alaska has a state training and employment program (STEP) which is funded by UI Trust fund contributions. Funds have been used for individuals who don't qualify for WIA support. STEP funds have been used for construction apprenticeships.		
To disseminate information about apprenticeship programs:	Washington State legislature provided funds to the Apprenticeship and Training Council to promote apprenticeship to high school students and educators in 2006.		
To develop and provide pre-apprenticeship or preparatory training designed to provide related work experience to prepare candidates for Registered Apprenticeship.	The District of Columbia provides \$1.2 million to support pre-apprenticeship programs with General Revenue funds to apprenticeship sponsors. Upon completion, sponsors have agreed to take students who complete the program.		

Attachment C Contact Information for Cited Programs

Alaska: John Hakala (federal), State Apprenticeship Director, 907/271-5035, Hakala.john@dol.gov; Mike Shiffer, Assistant Director, Division of Business Partnerships, Alaska Department of Labor and Workforce Development, 907/269-3729, mike.shiffer@labor.state.ak.us

California: Long Beach WIB: Patty Garcia (federal), Acting State Apprenticeship Director, 415/975-4007, Garcia.patricia@dol.gov; Glen Forman, Division of Apprenticeship Standards Department of Industrial Relations, GForman@dir.ca.gov, 415/703-4920; George Fernandez Program Coordinator, Center for Working Families, Long Beach CA 90806, 562/5703728, george.fernandez@longbeach.gov

District of Columbia: Lewis Brown, Director, D.C. Apprenticeship Council, 202/6985099, lewis.brown@dc.gov; Daryl Hardy, Administrative Officer, Department of Employment Services, 202/698-5146, darylg.hardy@dc.gov

Guam: Alfred Valles (federal) State Apprenticeship Director, 808/541-2519, valles.alfred@dol.gov; Maria Connelley, Director of Labor, 671/565-2237, connent@ite.net

Hawaii: Alfred Valles (federal) State Apprenticeship Director, 808/541-2519, valles.alfred@dol.gov; Elaine Young, Administrator, Workforce Development Division, Department of Labor and Industrial Relations, 808/586-8837, eyoung@dliir.state.hi.us

Kansas: Loretta Shelly, Director, Apprenticeship Program, Kansas Department of Commerce, 785/296-4161, lshelley@kansascommerce.com; Armand Coprology, WIA Program Manager, Kansas Department of Commerce, 785-296-7876, acorpolongo@kansascommerce.com

Maryland: Robert Laudeman (federal) State Apprenticeship Director, 410/962-2676, Laudeman.robert@dol.gov; David Ghee, (state) Maryland Apprenticeship & Training Program Division of Workforce Development, 410/767-2246, www.dllr.state.md.us

Missouri: Neil Perry (federal), Apprenticeship Director, 314/539-2522, perry.neil@dol.gov; Janeen Osborne, Workforce Development Specialist, Division of Workforce Development 573/526-8260, janeen.osborne@ded.mo.gov

Pennsylvania: Thomas Bydlon (federal), Apprenticeship Director, 717/221-3496, Bydlon.thomas@dol.gov; A. Robert Rascality, (state) Director Bureau of Labor Law Compliance, PA Department of Labor and Industry, 800/932-0665, arisaliti@state.pa.us

Ohio: Mary Ann Dayspring (federal) Apprenticeship Director, 614/469-7375, Dayspring.MaryAnn@dol.gov; Jean Sickles (state) Director, Ohio State Apprenticeship Council, 614/644-2242, SICKLJ@odjfs.state.oh.us; Julie McKay, program specialist, Ohio Department of Job & Family Services, 614/466-9692, MCKAYI@odjfs.state.oh.us

Oregon: Anne Wetmore (federal), Apprenticeship Director, 206/553-0076, Wetmore.anne@dol.gov; Stephen Simms, Director, Apprenticeship and Training Division, Oregon State Bureau of Labor and Industries, 503/731-4891, steve.simms@state.or.us; match Skills: David Allen, 503/526-2774, david.k.allen@state.or.us

South Dakota: Don Reese (federal), Apprenticeship Director, 605/330-2566, Reese.Donald@dol.gov;

Texas: Dennis Goodson (federal) Apprenticeship Director, 512/916-5435, Goodson.Dennis@dol.gov; Desiree Holmes, 512/936-3059, Desi.Holmes@twc.state.tx.us

West Virginia: Kenneth Milnes (federal), Apprenticeship Director, 304/347-5794, milnes.kenneth@dol.gov

Washington State: Anne Wetmore (federal), Apprenticeship Director, 206/553-0076, Wetmore.anne@dol.gov; Elizabeth Smith, Apprenticeship Program Manager, Department of Labor and Industries, 360/902-5320, smeI235@lni.wa.gov; Jamie Krause, WA State Workforce Training Coordinating Board, 360-753-5660, jkrause@wtb.wa.gov

Attachment D

Informational Tools & Resources to Support Development of New Registered Apprenticeship Opportunities and Models

Informational Materials available through Office of Apprenticeship Web site
<http://www.doleta.gov/OA/etadefault.dm>

General Information Brochures

- For Employers - Registered Apprenticeship - Building a Skilled Workforce in the 21st Century
(http://www.doleta.gov/oa/brochure!building_skilled_workforce.pdf)
- For General population: High Wage, High Skill- Career Opportunities in the 21st Century
(http://www.doleta.gov/oa/brochure/high_wage_high_skill_careers.pdf)

Industry Facts Sheets provide explanations of Registered Apprenticeship in various industries (<http://www.doleta.gov/oa/e-tools2.dm#factsheets>)

Setting Up an Apprenticeship Program presents information about how to start a program and provides a link to local apprenticeship staff who can offer free technical assistance.
(<http://www.doleta.gov/OA/setprgm.dm>)

Bulletins/Circulars of High Growth Occupations - Announcements and information about new apprenticeship programs and apprenticeable occupations
(<http://www.doleta.gov/oa/whatsnew.dm>)

Demand-Driven Case Studies - "Registered Apprenticeship Trends in Six Industries"
(<http://www.doleta.gov/oa/e-tools.dm#brochures>)

- Advanced Manufacturing
- Information Technology
- Geospatial Technology
- Maritime
- Health Care
- Military

Contact Information

- Office of Apprenticeship, State Offices
(<http://www.doleta.gov/oa/stateoffices.cfm>)
- State Apprenticeship Agencies
(<http://www.doleta.gov/oa/stateagencies.cfm>)
- Office of Apprenticeship Regional Offices
(<http://www.doleta.gov/oa/regdirlist.dm>)
- Office of Apprenticeship, National Office
([http://www.doleta.gov/oa\(national.dm](http://www.doleta.gov/oa(national.dm))

Related Information

WIRED Web site - The WIRED Web site is a comprehensive online resource for the WIRED initiative. The Web site houses information about the initiative, a fact sheet, and a description of the Road to WIRED. The WIRED resource library provides resources to communicate the concepts and ideas of economic transformation and the WIRED Initiative and offers a suggested reading list. The "WIRED Regions" page shows the map of WIRED Regions, a one-page description of the regional projects, and each region's working implementation plan. This tool is available on-line at: <http://www.doleta.gov/wired/>

Careervoyages.gov - This joint Departments of Labor and Education Web site focused particularly on young people and career changers includes useful apprenticeship information by industry (<http://www.careervoyages.gov/apprenticeship-main.dm>). Contact information for Registered Apprenticeship program sponsors can be found through a search locator on each industry's web page.

InDemand Magazine - This resource from the Employment and Training Administration is for students, guidance counselors, and parents to provide information on careers in high-growth industries, including those in science, technology, engineering, and math. This magazine is available at: www.careervoyages.gov/indemandmagazine-stem.dm

YouthBuild Guide to Expanding Opportunities with Trade Unions - This manual developed by YouthBuild U.S.A. provides information for local interactions between YouthBuild programs and skilled trades labor management organizations. The manual is available on-line at: <http://www.youthbuild.org/site/c.htlRI3PIKoG/b.13605291/apps/s/content.asp?ct=1974993>