



Office of Apprenticeship

National Apprenticeship System Enhancements

Proposal Goals

- Expansion with Quality
- Equity at the Center
- Consistency and Innovation

Introducing the Department's proposed updates to the regulations governing registered apprenticeship in the notice of proposed rulemaking (NPRM), "National Apprenticeship System Enhancements"

Agenda

- Message from DOL's Employment and Training Administration (ETA)
- Message from Department of Education's Office of Career, Technical, and Adult Education (OCTAE)
- Background on NPRM
- Walkthrough of the NPRM section by section



Message from ETA

Brent Parton

Principal Deputy Assistant
Secretary,

U.S. Department of Labor-
ETA



Central Goals of the Proposed Rule

- **Expansion with Quality:**

Establishing new tools and entry points to facilitate innovation and expansion of the successful registered apprenticeship model; Enhancing accountability, transparency, and data analysis, and strengthening focus on outcomes

- **Equity at the Center:**

Integrating EEO, advancing DEIA strategies, and expanding data collection and analysis to track outcomes

- **Consistency and Innovation:**

Clarifying roles of partners in the National Apprenticeship System, imbedding innovation into the system with linkages to education and workforce systems

Foundations of the Proposed Rule

- **Builds off the strong existing system**

Continues policies and practices that already undergird the current registered apprenticeship system (e.g. progressive wages, on-the-job training, classroom training, mentorship, nationally-recognized credentials)

- **Builds off stakeholder input**

Advisory Committee Reports, Listening Sessions

- **Builds off research**

AAI and Other Evaluations, International Best Practices, International Labour Organization activities

Message from OCTAE

Amy Lloyd,

Assistant Secretary
U.S. Department of
Education, OCTAE



Speakers



Manny Lamarre,
Senior Advisor, DOL-ETA



John Ladd,
Administrator, Office of
Apprenticeship, DOL-ETA

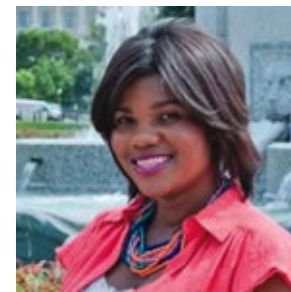


Luke Rhine, Deputy Assistant
Secretary, OCTAE, Department of
Education



Andy Ridgeway, Division Director, Office
of Apprenticeship, DOL-ETA

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Ayesha Upshur, Supervisory Program
Analyst, Office of Apprenticeship, DOL-
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Components of Registered Apprenticeship

DISTINGUISHING FACTORS

SEVEN COMPONENTS OF REGISTERED APPRENTICESHIP

-  Industry-Led
-  Paid Job
-  On-the-Job Learning/Mentorship
-  Supplemental Education
-  Diversity
-  Quality & Safety
-  Nationally-Recognized Credentials

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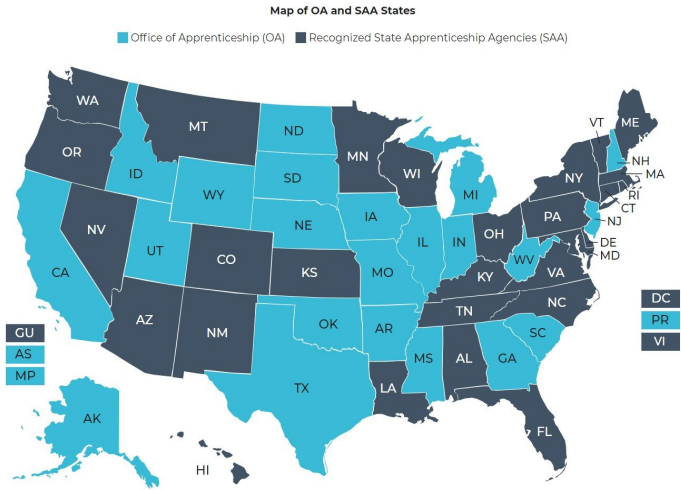


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A glance at the current National Apprenticeship System

FAST FACTS AS OF FY2023	886K+ APPRENTICES SERVED	23K+ ACTIVE APPRENTICESHIP PROGRAMS	2,629 NEW APPRENTICESHIP PROGRAMS	278K+ NEW APPRENTICES
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The Office of Apprenticeship oversees the National Apprenticeship System, which involves employers, industry associations, labor, education providers, Intermediaries, and other registered apprenticeship stakeholders and sponsors.

Within the System, there are two entities responsible for registering and overseeing registered apprenticeship programs – DOL’s Office of Apprenticeship (OA) and State Apprenticeship Agencies (SAA). Once formally recognized by OA, the latter has non-exclusive authority to determine whether a registered apprenticeship program conforms to the published standards and is therefore eligible for those Federal purposes which would otherwise be determined by OA.



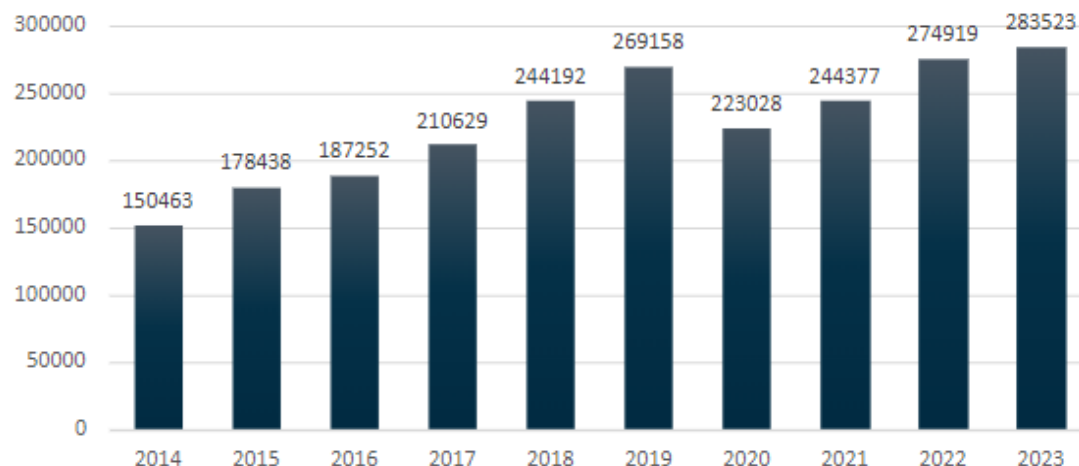
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Growth of Registered Apprenticeship

69.3%

Increase in new apprentices over the past decade

New Apprentices, FY14-FY23



KEY FACTS

480,000+ participants completed an apprenticeship in the last five years

10,000+ new apprenticeship programs created in the last five years

2.2 million+ new apprentices since FY14

30% more active apprentices than the previous 10-year average (645,000 vs 496,000)

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Background - Regulatory Framework

- Governing statute – National Apprenticeship Act of 1937 (NAA)
- The Department’s regulation governing labor standards for registered apprenticeships, found at 29 CFR part 29, was last updated in 2008; the apprenticeship landscape has changed significantly since then (including the introduction of funding and investment, and new stakeholders in an expanding system).
- The Department’s regulation incorporating equal employment opportunity (EEO) standards for registered apprenticeship programs, found at 29 CFR part 30, was last updated in 2016.
 - No substantive changes were proposed to the EEO regs at part 30 (would require separate rulemaking with a public comment period)



Background - Why Now?

- **Apprenticeship's value in addressing workforce challenges:** Employers face challenges in filling open positions and finding employees with the skills they need. Jobseekers, youth, students, and those in career transition face challenges in identifying career interests, connecting with job opportunities, and developing skills to improve their employability. Apprenticeship is a proven workforce development solution to address the challenges employers and jobseekers face in the modern labor market.
- **Lessons from the Department's investments and system oversight:** The Department seeks to apply lessons learned from its experience overseeing the National Apprenticeship System, including managing investments to support targeted growth, collecting and analyzing apprenticeship data, and providing technical assistance to sponsors, State partners, and other stakeholders.
- **Preparing for New Momentum:** Anticipating new stakeholders, programs, and apprentice demand due to historic investments (i.e., BIL, CHIPS, IRA), the Department recognizes the need to update the part 29 regulations to maintain high quality and strengthen apprentice protections in registered apprenticeship.



Background – Stakeholder Inputs Informing the Proposal

The Department's proposal is based on decades of experience overseeing the registered apprenticeship system, as well as consideration of the insightful recommendations and feedback from:

- Regular stakeholder engagements to support and inform expansion of the registered apprenticeship model, including with industry groups, State Apprenticeship Agencies, labor unions, worker advocates, State and local workforce partners, education systems, and industry intermediaries;
- The recommendations of the Advisory Committee on Apprenticeship, including the 2023 Biennial Report;
- Virtual listening sessions beginning in 2021 through 2023, and a National Online Dialogue in 2022;
- The 2023 Quality Apprenticeships Recommendation of the International Labour Conference



Administrative Procedures Act - NPRM Disclaimer

- NPRM process is governed by the Administrative Procedures Act
- Webinar is designed to assist the public in navigating the NPRM to support the submission of timely comments during the public comment period
- Content presented in this webinar is not a substitute for a review of the NPRM. The NPRM is the governing document and the Department encourages independent review of the NPRM. We encourage comments on the NPRM and look forward to reviewing them.



Summary Outline of Proposed Regulation

Subpart A RA Standards

Updates key areas related to standards of apprenticeship, program registration, determining occupational suitability for apprenticeship training (i.e., “apprenticeability”), apprenticeship agreements, deregistration of programs, and embedding DEIA strategies.

Subpart B CTE

Proposal to establish a new, student-centric model for registering apprenticeships aligned to Perkins Career Technical Education (CTE) programs.

Subpart C SAAs and Performance

Addresses the administration and coordination of the National Apprenticeship System through the modification of certain requirements and processes related to data reporting requirements and State Apprenticeship Agency (SAA) governance.



Navigating the proposed rule: proposed part 29

Proposed § 29.1 – Purpose and Scope

Proposed § 29.2 – Definitions

Revising or adding some new definitions for key terms to establish clarity (e.g., “cohort completion rate”, “pre-apprenticeship program”, “participating employer”); pulls in all the definitions from the part 30 EEO regulations to place all definitions relevant to the apprenticeship regulations in 29 CFR part 29.

Proposed § 29.3 – Office of Apprenticeship

Establishing clarity on OA’s role overseeing the National Apprenticeship System.



Navigating the proposed rule: proposed part 29

Proposed § 29.4 – Relation to other laws and agreements

States may establish more stringent or more protective standards

Proposed § 29.5 – Severability

Proposed § 29.6 – Transition provisions

Compliance timeline for different elements of the rulemaking by stakeholder (e.g., existing programs, new programs, SAAs)

Proposed Transition Provisions for Subpart A (§§ 29.8 through 29.23)

Scenarios	Proposed Transition Timeline
Potential programs – new programs not previously registered by the Administrator prior to the final rule’s effective date	Effective date of the final rule or when OA makes available an electronic submission process to potential sponsors
Existing registered apprenticeship programs – registered apprenticeship programs previously registered by the Administrator prior to the effective date of the final rule	2 years following the effective date of the final rule
SAA-approved registered apprenticeship programs – registered apprenticeship programs previously registered by an SAA prior to the effective date of the final rule	2 years following the SAA coming into compliance with the final rule; all programs approved by SAAs after the effective date of the final rule must remain in provisional status until the SAA has determined them in compliance with the requirements of their approved State Apprenticeship Plan



Navigating the proposed rule: proposed part 29, subpart A

Proposed § 29.7 – Occupations suitable for registered apprenticeship

Key proposed changes to the “apprenticeability” process:

- Determinations to be made by the Office of Apprenticeship to establish a uniform, transparent practice nationwide, informed by industry input and a public comment period;
- Addresses concerns about occupational “splintering”, and provides that occupations must be “commonly recognized or accepted throughout a particular industry or sector as a stand-alone, distinct occupation”;
- 5-year review cycle to assess occupations’ ongoing suitability in an evolving labor market.

Proposed § 29.8 – Standards of apprenticeship

Revising or adding labor standards for all registered apprenticeship programs. New requirements include:

- 29.8(a)(3) bolster EEO compliance by requiring programs to describe recruitment area in program standards;
- 29.8(a)(4) establishes a unitary approach to the apprenticeship training model wherein programs specify the minimum duration of on-the-job training required to acquire all the competencies necessary to attain proficiency in the occupation, which must be at least 2,000 hours in duration, and must be supplemented by at least 144 hours of related instruction (per 2,000 hours of training);
- 29.8(a)(8) report any interim credentials apprentices may earn through the program;

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Subpart A (cont'd)

Proposed § 29.8 – Standards of apprenticeship (cont.)

Revising or adding labor standards for all registered apprenticeship programs. New requirements include:

- 29.8(a)(17) report wages and fringe benefits that apprentices will receive, require progressively increasing wages to reflect acquisition of additional competencies, and require that final wage step for apprentices be no less than 75% of the typical journeyworker wage for the occupation;
- 29.8(a)(18) promoting transparency by ensuring any unreimbursed program costs, fees, or expenses for apprentices are disclosed to apprentices, and are both necessary and reasonable;
- 29.8(a)(20) promoting transparency by requiring programs to explain their process for granting advanced standing for apprentices with prior experience or learning, or for accelerated progress made by the apprentice during the course of their training;
- 29.8(b) ensuring labor standards for apprenticeship programs apply for group programs, participating employers;

Proposed § 29.9 - Apprenticeship agreements

Prohibition on inclusion of non-compete and non-disclosure provisions in apprenticeship agreements to ensure optimal labor market mobility for apprentices.



Subpart A (cont'd)

Proposed § 29.10 – Program registration

Prospective program sponsors must submit the work process schedule, labor standards, apprenticeship agreement, and equitable recruitment and retention plan.

Proposed § 29.11 – Program standards adoption agreement

Clarifying that participating employers in group apprenticeship programs must abide by established labor standards. Proposed definition for “program standards adoption agreement” clarifies that such agreements are “a written agreement executed outside of a collective bargaining process”

Proposed § 29.12 – Qualifications of apprentice trainers and providers of related instruction

Program requirements to ensure that trainers and instructors are suitably qualified.



Subpart A (cont'd)

Proposed § 29.13 – 29.15 Tools to assist with expansion of registered apprenticeship

Regulatory framework for...

- National Occupational Standards (NOS),
- National Program Standards (NPS), and
- National Guidelines for Apprenticeship Standards (NGS).

These templates will incorporate industry input and guidance and accelerate the development of new apprenticeship programs at the national (NOS, NPS) and local level (NGS).

The proposed rule defines the term “intermediary” for the first time and would establish clear roles for industry intermediaries in the process to develop NOS, NPS, and NGS. The Department would further invite collaboration and input from the public by making NOS standards for an occupation available for public comment

NGS would leverage the templates developed for national programs and occupations, and would facilitate customization, as appropriate, to encourage registration of local programs.

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Subpart A (cont'd)

Proposed § 29.16 – End-point assessments

Clarifying apprentices' level of job-readiness upon program completion (aligns with international best practices in apprenticeship); significant latitude for programs to develop end-point assessments that work best for them.

Proposed § 29.17 – Complaints

Clarifying roles for Registration Agencies (OA, SAAs) in receiving, processing, and resolving complaints arising under part 29.

Proposed § 29.18 – Recordkeeping by registered programs

Clarifying recordkeeping requirements for programs and participating employers to facilitate improved data analysis, increased transparency, and greater accountability to program integrity and quality outcomes. The Department proposes that programs and participating employers maintain records on interim credentials, apprentice progress through training and instruction, and end-point assessments, among others.



Subpart A (cont'd)

Proposed § 29.19 – Program reviews

Consolidating and detailing the components of program reviews in one stand-alone provision of the part 29 regulations to promote clarity and transparency about this process for program sponsors and participating employers. Establishes a framework for “compliance action plans” to address programs that demonstrate deficiencies in complying with labor standards requirements in part 29.

Proposed § 29.20 – Deregistration of a registered program

Provides more flexible administrative tools for Registration Agencies to address program deficiencies short of deregistration, including providing technical assistance or developing and implementing a compliance action plan.

Proposed § 29.21 and 29.22 – Hearings on deregistration, Reinstatement of registration

Establishing a process for sponsors to submit evidence to document conformance with parts 29 and 30 and reinstate their program’s registration.

Proposed § 29.23 – Exemptions

Permits the Department to consider and grant exemptions from part 29 requirements for good cause.

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Registered CTE Apprenticeship

Registered Career and Technical Education (CTE) Apprenticeship

A new apprenticeship model for students

- **Formally linking registered apprenticeship with education** at the high school, community college, and university levels
- **Recognizing the value of credit-bearing training programs** to help students progress through education and career development
- **Offering a new, foundational registered apprenticeship pathway** in critical sectors for a diverse generation of apprentices



Navigating the proposed rule: proposed part 29, subpart B

Registered Career and Technical Education (CTE) Apprenticeship

A new apprenticeship model for students

- **A new, optional model for states pursuing strong alignment with education and workforce and a robust National/State Apprenticeship System**
- **Expanding opportunities for students and youth**
- **Supplements the Registered Apprenticeship model**

Subpart B (cont'd)

Proposed § 29.24(a) - Required coordination

Requirement for a Registration Agency, whether it is OA or the SAA, and the State CTE Agency to coordinate, through a written agreement, on the statewide administration of Registered CTE apprenticeship programs in each State.

Proposed § 29.24(b) - Approval of industry skills framework (ISF)

Development and approval of industry-validated ISFs as a distinct component of registered CTE apprenticeship, which includes the industrywide competencies and skills obtained through on-the-job training that are foundational to multiple career pathways within an industry sector. ISFs are aligned with CTE programs, and OJT outlines must align with an approved ISF.



Subpart B (cont'd)

Proposed § 29.24(c) - Standards of registered CTE apprenticeship

Distinct components of registered CTE apprenticeship:

- ISFs that inform the outline for the on-the-job training component;
- Requirement of at least 900 hours of paid on-the-job training;
- CTE apprenticeship-related instruction that utilize State-approved CTE programs for the curriculum of non-duplicative coursework;
- Requirement of at least 540 hours of CTE apprenticeship-related instruction;
- Inclusion of the awarding of at least 12 postsecondary credit hours leading to a recognized postsecondary credential attainment, and which may include advanced standing in registered apprenticeship programs under subpart A; and
- Description of how such standards will enable CTE apprentices to enroll in postsecondary educational programs, engage in employment, or both.



Subpart B (cont'd)

Proposed § 29.24(d) - Registered CTE apprenticeship program sponsors

The Department envisions local educational agencies, institutions of higher education, State Educational Agency, State CTE Agencies, or another State government agency that shares responsibility for CTE in the State, as the primary organizations and entities that may serve as a program sponsor. These eligible entities may also designate an intermediary to be a registered CTE apprenticeship program sponsor.

Proposed § 29.24(d)(4) - Sponsor standards adoption agreements

The sponsor standards adoption agreement is the regulatory framework ensuring participating employers will abide by established registered standards and regulations at Parts 29 and 30 and largely follows the program standards adoption agreement under proposed § 29.11.



Subpart B (cont'd)

Proposed § 29.24(e) - CTE apprenticeship agreement

Intended to protect the welfare of CTE apprentices by clarifying the terms and conditions of the program and includes information on the CTE program, credit hours, credentials, ISF skills and competencies, employer information, employment terms, and a description of the expected program completion outcomes.

Proposed § 29.24(f) - Certificate of Completion of registered CTE apprenticeship

Universal requirement for the granting of a Certificate of Completion of registered CTE apprenticeship

Proposed § 29.24(g) - Administrative requirements of the Registration Agency

- Technical assistance and registration of programs
- Establishment of a process to receive, investigate, and process complaints relating to registered CTE apprenticeship
- Program reviews
- Deregistration processes
- Recognition of Registration Agencies to register CTE apprenticeship programs and CTE apprentices.
- Data collection and metrics from programs
- Program exemptions



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Navigating the proposed rule: proposed part 29, subpart C

Proposed § 29.25 – Collection of data and quality metrics concerning apprenticeship

Formalization of data reporting requirements for sponsors to promote the accurate and comprehensive collection of apprentice and apprenticeship information.

Enhancements include the establishment of firm timelines for data collection and increased alignment with WIOA reporting requirements.

Proposed § 29.26 – Roles and responsibilities of State Apprenticeship Agencies

Clarified delineation of the duties and powers of the administrative and advisory bodies required by this part. Requirements surrounding the establishment and duties of each State's State Apprenticeship Council are consolidated to describe the solely advisory role to be played by such entities.

Subpart C (cont'd)

Proposed § 29.26 (cont'd) – Roles and responsibilities of State Apprenticeship Agencies

Expounds upon the existing requirement for SAAs to establish a process to accord reciprocity for registered apprenticeship programs registered in other states by OA or by an SAA.

Proposed § 29.27 – Recognition of State Apprenticeship Agencies

Introduction of a State planning framework that establishes the requirement for States to submit a State Apprenticeship Plan for initial and continued recognition as a State Apprenticeship Agency. This part also describes the conditions that must be met for full and provisional SAA recognition.



Subpart C (cont'd)

Proposed § 29.27 (cont'd) – Recognition of State Apprenticeship Agencies

Key justifications for the State Planning Process

- Creates a consistent cadence for the assessment of SAAs.
- Furthers shared strategic vision and goals for registered apprenticeship across the National Apprenticeship System.
- Promotes alignment with workforce and education systems.
- Promote greater alignment and transparency among States within the National Apprenticeship System.

Implementation

- Plans due every 4 years after December 31, 2026.
- Change aligns registered apprenticeship with the greater workforce development system, including WIOA and the Perkins program, which both utilize 4-year State planning processes.
- Provides at least 2 full calendar years for States to request any necessary changes to their laws and develop plans consistent with the requirements of the proposed rule.



State Apprenticeship Plan

	Components
Core Requirements	<ul style="list-style-type: none">• proposed or current apprenticeship laws
Strategic Planning	<ul style="list-style-type: none">• goals for expanding the registered apprenticeship model in the State• goals for promoting registered apprenticeship programs for underserved communities in the State• goals for aligning a State's registered apprenticeship activities with broader education and workforce activities• activities to coordinate with economic development entities within the State• Strategies for engaging and leveraging industry intermediaries as part of the State's strategy for expanding registered apprenticeship programs.



State Apprenticeship Plan (cont'd)

	Components
Operational Planning	<ul style="list-style-type: none">• State EEO plan• technical assistance plan• process by which the State will meet performance reporting requirements of the proposed rule § 29.28• plan for conducting program reviews;• plan to operationalize registration standards;• reciprocity policy in accordance with proposed § 29.26(f);• Structure of how the SAC is or will be structured consistent with the requirements of proposed § 29.26
Assurances	<ul style="list-style-type: none">• Addresses requirements of proposed part 29 and part 30, not already identified in the other subsections of proposed § 29.27



Subpart C (cont'd)

Proposed § 29.28 – Reporting requirements for State Apprenticeship Agencies

A focus on standardization and uniformity to promote transparency and accountability. Requirements stipulated in this part include quarterly submission of individual apprentice records and annual submission of sponsor records. Reporting cadence represents additional alignment with other workforce programs, and also enable more timely availability of information for all stakeholders.

Proposed § 29.29 – Denial of a State Apprenticeship Plan for recognition as a State Apprenticeship Agency and derecognition of existing State Apprenticeship Agencies

Describes the processes and procedures concerning the denial of a State Apprenticeship Plan, the derecognition of an existing SAA, and voluntary withdrawal as an SAA.



Subpart C (cont'd)

Proposed § 29.30 – Apprenticeship requirements in other laws

Outlines the process by which the Office of Apprenticeship may provide a Certificate of Participation to stakeholders, which provides information on apprentice participation that may be required by other Federal or State laws.

Technical adjustments to 29 CFR part 30

Part 30 Revisions

As part of this proposed rule the Department proposes technical and conforming edits to 29 CFR part 30, which addresses Equal Employment Opportunity in apprenticeship. The scope of these changes is narrow and necessary to appropriately align with proposed changes to 29 CFR part 29.



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- **Equity at the Center:**

Integrating EEO, advancing DEIA strategies, and expanding data collection and analysis to track outcomes

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- **Builds off stakeholder input**

Advisory Committee Reports, Listening Sessions

- **Builds off research**

AAI and Other Evaluations, International Best Practices, International Labour Organization activities

Publication of the NPRM and the public comment process

On Wednesday, January 17th, the Office of the Federal Register published the NPRM in the Federal Register for public inspection, marking the beginning of a 61-day public comment period.

The Department **welcomes feedback from all stakeholders** and will consider all comments* submitted to the docket:

<https://www.federalregister.gov/documents/2024/01/17/2023-27851/national-apprenticeship-system-enhancements>

*Note that the Department may only consider comments submitted through the official public comment process

