



# Requirements for Apprenticeship Sponsors

## Reference Guide

This document accompanies and supplements the “Apprenticeship Standards” developed by the U.S. Department of Labor Office, Employment and Training Administration, Office of Apprenticeship. Sponsors are required to comply with the requirements in Title 29 Code of Federal Regulations (“CFR”) parts 29 and 30 at all times, and parts 29 and 30 shall control in the event of conflict or ambiguity with this document. In addition to the Requirements listed in the Apprenticeship Standards, sponsors should be aware of and must comply with the additional requirements listed in this document.

### SECTION I – STANDARDS OF APPRENTICESHIP

#### A. RESPONSIBILITIES OF THE SPONSOR:

**Apprenticeship Agreement:** Prior to signing the apprenticeship agreement, each selected applicant must be given an opportunity to read and review the sponsor’s Apprenticeship Standards approved by the Office of Apprenticeship, the sponsor’s written rules and policies, the apprenticeship agreement, and the sections of any collective bargaining agreement (CBA) that pertain to apprenticeship. After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the apprentice must be covered by a written apprenticeship agreement which must be submitted to the Office of Apprenticeship. Such submission can be done electronically through the Registered Apprenticeship Partner Information System (“RAPIDS”), using the Apprentice Electronic Registration process, or on ETA Form 671. Sponsors will receive their username and login information for RAPIDS upon registration. The Office of Apprenticeship must be advised within 45 days of the execution of each new apprenticeship agreement. The sponsor also must provide a copy of the completed apprenticeship agreement to the apprentice, the employer, and the union, if any. The sponsor must provide the Office of Apprenticeship a signed copy of ETA Form 671 indicating that the employer (if not the sponsor), the union (if applicable), and the apprentice have received the completed apprenticeship agreement. An additional copy should be provided to a veteran’s state approving agency for any veteran apprentice desiring access to benefits to which they are entitled.

**Safety and Health Training:** All apprentices must receive instruction in safe and healthful work practices both on the job and in related instruction that are in compliance with the Occupational Safety and Health Administration standards promulgated by the Secretary of Labor under 29 U.S.C. 651 et seq., or State standards that have been found to be at least as effective as the Federal standards.



**Maintenance of Records:** Program sponsors are responsible for maintaining, at a minimum, the following records: summary of the qualifications of each applicant; basis for evaluation and for selection or rejection of each applicant, including applications, tests, and test results; records pertaining to interviews; the invitation to self-identify as an individual with a disability; records of each apprentice’s On-the-Job Learning (“OJL”); related instruction reviews and evaluations; progress evaluations; record of job assignments, including job assignments in components of the occupation; records pertaining to the promotion, demotion, transfer, layoff, termination, rates of pay, other forms of compensation, conditions of work, hours of work, hours of training provided, and any personnel records relevant to equal employment opportunity (“EEO”) complaints filed with the Office of Apprenticeship or with other enforcement agencies. The sponsor must maintain all records related to compliance with EEO standards required by 29 CFR § 30.3. Program sponsors must also maintain all records relating to apprenticeship applications (whether selected or not), including, but not limited to, the sponsor’s outreach, recruitment, interview, and selection process. Sponsors must also retain records related to reasonable accommodations.

All records retained pursuant to part 30 must clearly identify the race,<sup>1</sup> sex, ethnicity (Hispanic or Latino/non-Hispanic or Latino), and when known, disability status of each apprentice, and where possible, the race, sex, ethnicity, and disability status of each applicant for apprenticeship. Each sponsor required under 29 CFR § 30.4 to develop and maintain an affirmative action program must retain both the written affirmative action plan and documentation of its component elements set forth in 29 CFR §§ 30.5, 30.6, 30.7, 30.8, 30.9, and 30.11. All such records are the property of the sponsor and must be maintained for a period of five (5) years from the date of the making of the record or the personnel action involved, whichever occurs later. Records must be made available to the Office of Apprenticeship upon request in such form as the Office of Apprenticeship may determine is necessary to ascertain whether the sponsor has complied or is complying with its obligations.

**Transfer:** The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on agreement between the apprentice and the affected apprenticeship committees or program sponsors and must comply with the following requirements: (1) The transferring apprentice must be provided a transcript of related instruction and OJL by the committee or program sponsor; (2) Transfer must be to the same occupation; and (3) A new apprenticeship agreement must be executed when the transfer occurs between the program sponsors. The apprentice must receive credit from the new sponsor for the training already satisfactorily completed.

**Registration, Cancellation, Suspension, and Deregistration:** The Office of Apprenticeship may initiate deregistration of a sponsor’s standards upon request of the sponsor or for failure of the sponsor to abide by the provisions herein and those contained in its Apprenticeship Standards. Such deregistration actions will be in accordance with the Office of Apprenticeship’s applicable regulations and procedures.

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<sup>1</sup> Race under 29 CFR § 30.2 includes the following categories; White, Black or African American, Native Hawaiian or other Pacific Islander, Asian, and American Indian or Alaska Native.



The sponsor must notify each apprentice of the cancellation of the program and its effect on active apprentices. If the Office of Apprenticeship requests the deregistration of the apprenticeship program, the sponsor will notify active apprentice(s) within 15 days of the effective date of the deregistration. The sponsor's notification to its apprentices must specify (1) the effective date of deregistration; (2) that such cancellation automatically deprives apprentices of individual registration; (3) that the deregistration removes the apprentice from coverage for Federal purposes, and; (4) that all apprentices may contact the Office of Apprenticeship for information regarding potential transfer to other registered apprenticeship programs.

Where the Office of Apprenticeship, as a result of a compliance review, complaint investigation, or other reason, determines that the sponsor is not operating its apprenticeship program in accordance with part 30, the Office of Apprenticeship must notify the sponsor in writing of the specific violation and offer technical assistance or suspend the sponsor's right to register new apprentices if the sponsor fails to implement a compliance action to correct the specific violation.

**Amendments and Modifications:** A sponsor must submit a request to its Office of Apprenticeship to amend its Apprenticeship Standards or an apprenticeship agreement. Amendments may be requested by contacting the Office of Apprenticeship using its preferred contact information as listed in Section K of the Apprenticeship Standards and must be agreed upon by all parties to the original Standards (i.e., the employer, committee, and union—note that individual apprentices are not parties to the Standards). Amendments and modification may include notice of transfers, suspensions, and cancellations of apprenticeship agreements and a statement of the reasons therefore. A copy of each amendment or modification adopted must be furnished by the sponsor to each apprentice, the Office of Apprenticeship, union (if applicable), and the apprentice to whom the amendment or modification applies.

**Compliance with Federal Law:** The sponsor and all entities must comply with all applicable Federal law and regulations in operating the apprenticeship program.

## **B. MINIMUM QUALIFICATIONS:**

An apprentice must be at least 16 years old unless a higher age is required by applicable law. Sponsors may note additional minimum qualifications in Section B of their apprenticeship standards where appropriate. Sponsors are prohibited from using discriminatory minimum qualifications.

## **C. APPRENTICESHIP APPROACH AND TERM:**

The term of the occupation will be stated in Appendix A of the work process schedule and standards as time-based, hybrid, or competency-based with an OJL attainment of either hours or years, as applicable, supplemented by the required hours of related instruction. Sponsors that wish to register multiple occupations should attach a completed Appendix A for each occupation.



**Requests for Certificate of Completion of Apprenticeship:** The sponsor must certify the completion to OA and request a Certificate of Completion of Apprenticeship for the completing apprentice(s). Such requests are completed either electronically or in writing using the Application for Certification of Completion of Apprenticeship Form.

**Request for a Certificate of Training:** A Certificate of Training (Interim Credential) may be requested from OA, only for a registered apprentice who has been certified by the sponsor as having successfully met the requirements to receive an interim credential as identified in the sponsor's standards. OA requires that a record of completed OJL and related instruction for the apprentice accompany such requests.

#### **D. WORK PROCESS SCHEDULE AND RELATED INSTRUCTION OUTLINE:**

**1. Work Process Schedule.** As part of Appendix A, all sponsors must include 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. The sponsor may modify the work processes to meet local needs prior to submitting these Standards to the appropriate Office of Apprenticeship for approval. For free technical assistance in compiling a work process schedule, including numerous templates and examples, visit: [www.dol.gov/apprenticeship/employers.htm](http://www.dol.gov/apprenticeship/employers.htm)

**Related Instruction Outline.** As part of Appendix A, all sponsors must include an outline of an organized and systematic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the apprentice's occupation. This instruction may be accomplished through media such as classroom, occupational or industry courses, electronic media, or other instruction. Generally, a Related Instruction Outline should include a list of the anticipated courses, the learning objectives, the estimated number of hours that each course will last, and estimated completion dates. For free technical assistance with compiling a Related Instruction Outline visit: [www.dol.gov/apprenticeship/employers.htm](http://www.dol.gov/apprenticeship/employers.htm)

In addition to the OJL, during the apprenticeship, the apprentice must receive related instruction in all phases of the occupation necessary to develop the skill and proficiency of a journeyworker. Every apprentice is required to participate in related instruction in technical subjects related to the job as outlined as in Appendix A of the Apprenticeship Standards. Sponsors are not obligated to compensate apprentices for time spent in related instruction. Sponsors must specify in Section D of the Standards whether related technical instruction will be compensated. Sponsor's payment or agreement to pay apprentices for time spent in related instruction must comply with all applicable Federal, State, and local laws and regulations related to apprentice wages.

The sponsor must secure the instructional aids and equipment it deems necessary to provide quality instruction. In cities, towns, or areas having no vocational schools or other schools that can furnish related instruction, the sponsor may require apprentices to complete the related instruction requirement through electronic media or other instruction approved by the Office of Apprenticeship. The sponsor must inform each apprentice of the availability of college credit, if applicable.

To the extent possible, related instruction should be closely correlated with the practical experience and training received on the job. The sponsor must monitor and document the



apprentice's progress in related instruction classes. The sponsor must ensure that related instruction providers meet the State Department of Education's requirements for a vocational-technical instructor in the State of registration, or be a subject matter expert, such as a journeyworker. All related instruction providers must have training in teaching techniques and adult learning styles which may occur before or after the apprenticeship instructor has started to provide the related technical instruction.

#### **E. CREDIT FOR PREVIOUS EXPERIENCE:**

Sponsors that provide apprentice applicants seeking credit for previous experience gained outside the supervision of the sponsor must accept the request at the time of application and request appropriate records and documentation to substantiate the claim. Prior to completion of the probationary period, the amount of credit to be awarded will be determined after review of the apprentice's previous work and training/education record and evaluation of the apprentice's performance and demonstrated skill and knowledge during the probationary period. An apprentice granted credit must be advanced to the wage rate designated for the period to which such credit accrues. The sponsor may grant credit toward the term of apprenticeship to new apprentices. The Office of Apprenticeship must be advised of any credit granted and the wage rate to which the apprentice is advanced within 45 days. Such notifications can be made in RAPIDS. The granting of advanced standing must apply to all applicants equally. If the sponsor plans to establish specific requirements for an apprentice to receive advanced standing the sponsor should use the additional lines in Section E of the Apprenticeship Standards.

#### **F. PROBATIONARY PERIOD:**

During the probationary period, either the apprentice or the sponsor may terminate the apprenticeship agreement, without stated cause, by notifying the other party in writing. The records for each probationary apprentice will be kept by the sponsor. Records may consist of periodic reports regarding progression made in both the OJL and related instruction, and any disciplinary action taken during the probationary period. Any probationary apprentice evaluated as satisfactory after a review of the probationary period must be given full credit for the probationary period and continue in the program.

When notified that an apprentice's related instruction or on-the-job progress is found to be unsatisfactory, the sponsor will determine whether the apprentice should continue in a probationary status and may require the apprentice to repeat a process or series of processes before advancing to the next wage classification.

After the probationary period, the apprenticeship agreement may be cancelled at the request of the apprentice or may be suspended or cancelled by the sponsor for reasonable cause after documented due notice to the apprentice and a reasonable opportunity for corrective action. For all cancellations, the sponsor must provide written notice to the apprentice and, within 45 days, notice to the Office of Apprenticeship of the action taken.

#### **G. RATIO OF APPRENTICES TO JOURNEYWORKERS:**



In Appendix A, the prospective sponsor must establish a ratio of apprentice(s) to one or more journeyworker(s), except where such ratios are expressly prohibited by a CBA. The sponsor must comply with the registered ratio at all times.

#### **H. APPRENTICE WAGE SCHEDULE:**

Apprentices must be paid a progressively increasing schedule of wages during their apprenticeship based on the acquisition of increased skill and competence on the job and in related instruction. The progressive wage schedule, which may include fringe benefits, will be an increasing percentage of the fully proficient or journeyworker wage rate as provided for in Section H and Appendix A of the Apprenticeship Standards. The journeyworker wage rate will serve as the terminal wage that an apprentice will receive upon completion of the apprenticeship program. The entry wage must not be less than the minimum wage set by the Fair Labor Standards Act (including overtime), where applicable, unless a higher wage is required by other Federal or State law or regulation, or by collective bargaining agreement. The number of steps in the progressive wage scale, as depicted in Appendix A, may vary based on the length and complexity of the registered apprenticeship. The schedule of wages must increase consistent with the skills acquired by the apprentice.

#### **I. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PROGRAM:**

**Equal Employment Opportunity Affirmative Obligations.** Sponsors are required to sign the equal opportunity pledge in Section I.1 and 2 of the Apprenticeship Standards. Sponsors with five or more registered apprentices must develop an affirmative action plan within two years of registration as required by 29 CFR § 30.4 and update the plan upon the completion of workforce analyses required by 29 CFR §§30.5(b) and 30.7(d)(2), unless it is exempt from doing so under § 30.4(d)(2). In particular, Federal agencies and Federal contractors should consult with OA to see if they qualify for an exemption or if their current Affirmative Action Plans are applicable under the Part 30 requirements.

All sponsors have a duty to take affirmative steps to provide equal opportunity in apprenticeship according to 29 CFR § 30.3(b). The sponsor will designate an individual or individuals responsible for overseeing the sponsor's commitment to equal opportunity in registered apprenticeship, for monitoring apprenticeship activity to ensure compliance with EEO requirements, to maintain required records, and to generate reports. In addition to providing apprentices with the Equal Opportunity Pledge contained in Section 1., sponsors must: post the pledge so that it is accessible to all apprentices and applicants, including posting through electronic media; conduct orientation and periodic information sessions (including anti-harassment training) for individuals involved in the apprenticeship program, including apprentices and journeyworkers who regularly work with apprentices; and maintain records to demonstrate compliance. Sponsors must engage in universal outreach and recruitment, including developing and updating an annual list of recruitment sources that will generate referrals from all demographic groups within the relevant recruitment area, identify a contact person, mailing address, telephone number and email address for each recruitment source, and provide recruitment sources with advanced notice of apprenticeship openings. Sponsors must maintain apprenticeship programs free from harassment, intimidation and retaliation, including providing required anti-harassment training and addresses the right of apprentices to file a



harassment complaint under 29 CFR § 30.14. Sponsors must make all facilities and apprenticeship activities available without regard to race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability except that if the sponsor provides restrooms or changing facilities, the sponsor must provide separate or single-user restrooms and changing facilities to assure privacy between the sexes. Sponsors must establish and implement procedures for handling and resolving complaints about harassment and intimidation. Sponsors must comply with Federal and State EEO laws.

**Discrimination/Retaliation Prohibited.** It is unlawful for a sponsor of a registered apprenticeship program to discriminate against an apprentice or applicant for apprenticeship on the basis of race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability with regard to: recruitment, outreach and selection procedures, hiring and/or placement, upgrading, periodic advancement, promotion, demotion, transfer, layoff, termination, right of return from layoff, and rehiring. Additionally, sponsors are prohibited from discrimination in rotation among work processes; imposition of penalties or other disciplinary action; rates of pay or any other form of compensation and changes in compensation; conditions of work; hours of work and hours of training provided; job assignments; leaves of absence, sick leave, or any other leave; and any other benefit, term, condition, or privilege associated with apprenticeship. The Office of Apprenticeship will look to the legal standards and defenses applied under the Federal laws listed at 29 CFR § 30.3(a)(2) in determining whether a sponsor has engaged in an unlawful discriminatory practice.

It is also unlawful to intimidate, threaten, coerce, retaliate against, or discriminate against a participant in an apprenticeship program because the individual has: (1) filed a complaint alleging a violation of 29 CFR part 30; (2) opposed a practice prohibited by the provisions of 29 CFR part 30 or any other Federal or State equal opportunity law; (3) furnished information to, or assisted or participated in any manner, in any investigation, compliance review, proceeding, or hearing under 29 CFR part 30 or any Federal or State equal opportunity law; or (4) otherwise exercised any rights and privileges under the provisions of 29 CFR part 30.

**Selection Procedures.** Sponsors are prohibited from using discriminatory selection procedures. The Office of Apprenticeship will review the selection procedures provided in Section I to ensure compliance with 29 CFR § 30.10. In sum, selection procedures must: (1) comply with the Uniform Guidelines on Employee Selection Procedures, including the requirements to evaluate the impact of the selection procedure on race, sex, and ethnic groups and, if any selection procedure results in an adverse impact against one of those groups, demonstrating that the procedure is job related and consistent with business necessity; (2) be uniformly and consistently applied to all applicants and apprentices within each selection procedure utilized; (3) comply with title I of the ADA and the EEOC's implementing regulations at part 1630, which includes that procedures must not screen out or tend to screen out individual(s) with disabilities unless the selection criteria is job related and consistent with business necessity; and (4) be facially neutral in terms of any protected category under part 30.

## **J. COMPLAINT PROCEDURES:**

Sections H-I of the Apprenticeship Standards addresses four types of complaints; complaints covered by a CBA, complaints not covered by a CBA, complaints to the appropriate Office of Apprenticeship, and complaints alleging discrimination. Space is provided for the sponsor to fill-in the appropriate



contact information for the contact person the sponsor wishes to designate to resolve disputes not governed by a CBA. The appropriate Office of Apprenticeship is responsible for resolving complaints that allege discrimination, or, that could not be resolved by the sponsor and do not involve a matter covered by a CBA. Space is provided for the Office of Apprenticeship to fill-in its preferred contact information. Nothing in these complaint procedures precludes an apprentice from pursuing any other remedy authorized under another Federal, State, or local law.

#### **K. OFFICE OF APPRENTICESHIP GENERAL CONTACT INFORMATION:**

The Registration Agency is either the National Office of Apprenticeship or the local OA representative in which the standards are registered. General Contact information will be provided as part of the registration process.

### **SECTION II – APPENDICES AND ATTACHMENTS**

Appendix A - *Work Process Schedule, Related Instruction Outline, Apprentice Wage Schedule, Ratio of Apprentices to Journeyworkers, Type of Occupation, and Term of Apprenticeship*: See Sections D, G, and H of this Reference Guide

Appendix B (*ETA Form 671 – Apprenticeship Agreement*): May be completed in RAPIDS after program registration).

Appendix C (*Affirmative Action Plan (AAP)*): Instructions for creating and maintaining an AAP, including templates for the required analyses and space to fill in other required information, is attached. Sponsors are required to develop an AAP within two years of registration for programs with 5 or more registered apprentices. Information and technical assistance materials relating to the creation and maintenance of an affirmative action plan will be made available on the Office of Apprenticeship’s website.

Appendix D (*Employer Acceptance Agreement*): A sample agreement has been provided for employers who choose to sign on under the sponsor’s approved standards. Please use Appendix D when developing standards for multiple employers.

### **SECTION III – COLLECTIVE BARGAINING PROVISIONS (IF APPLICABLE)**

Section III is for sponsors registering a program where the apprentices will be covered by a CBA. Such sponsors must furnish to the appropriate union a copy of its completed Apprenticeship Standards as well as all attachments. Normally, the appropriate union officials should sign in the designated spaces. However, if the union elects not to participate in the registration process, the Office of Apprenticeship will allow 45 days to receive union comments before registering the program.

### **SECTION IV – SIGNATURES**



The Program Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.

## SECTION V – DISCLOSURE AGREEMENT

Program Sponsors must indicate their preference and authorization for OA staff to share the Work Process Schedule and Related Instruction Outline in Appendix A with other entities seeking to establish Apprenticeship Programs.

## GLOSSARY OR TERMS

1. **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 §29.4 under standards of apprenticeship fulfilling the requirements of §29.5.
2. **APPRENTICESHIP AGREEMENT:** Means a written agreement, complying with §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.
3. **APPRENTICESHIP APPROACHES:**
  - COMPETENCY-BASED APPROACH:** Measures skill acquisition through the individual apprentice’s successful demonstration of acquired skills and knowledge, as verified by the program sponsor. Programs utilizing this approach must still require apprentices to complete an on-the-job learning component of Registered Apprenticeship. The program standards must address how on-the-job learning will be integrated into the program, describe competencies, and identify an appropriate means of testing and evaluation for such competencies.
  - HYBRID APPROACH:** Measures the individual apprentice’s skill acquisition through a combination of specified minimum number of hours of on-the-job learning and the successful demonstration of competency as described in a work process schedule.
  - TIME-BASED APPROACH:** Measures skill acquisition through the individual apprentice’s completion of at least 2,000 hours of on-the-job learning as described in a work process schedule.
4. **CERTIFICATE OF COMPLETION OF APPRENTICESHIP:** The credential issued by the Office of Apprenticeship to those registered apprentices certified and documented as having successfully completed the apprentice training requirements outlined in these standards of apprenticeship.
5. **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.
6. **EMPLOYER ACCEPTANCE AGREEMENT:** Means an agreement between the sponsor and an undersigned participating employer which agrees to carry out the intent, purpose, rules and decisions of the sponsor established under an approved set of Registered Apprenticeship Standards.
7. **JOURNEYWORKER:** Means a worker who has attained a level of skill, abilities and competencies 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.)

## **8. TRAINING REQUIREMENTS:**

**ON-THE-JOB LEARNING (OJL):** Tasks learned on-the-job in which the apprentice must become proficient before a completion certificate is awarded. The learning must be through structured, supervised work experience.

**RELATED INSTRUCTION:** Means an organized and systematic form of instruction designed to provide the apprentice with the 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, electronic media, or other forms of self-study approved by the Office of Apprenticeship.

**WORK PROCESS SCHEDULE:** An outline of the tasks 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.

**9. REGISTERED APPRENTICESHIP PARTNERS INFORMATION DATA SYSTEM (RAPIDS):** A Federal system that provides for the automated collection, retention, updating, retrieval, and summarization of information related to apprentices and apprenticeship programs.

**10. 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.