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Employment and Training Division  
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STATE OF WISCONSIN



Department of Workforce Development

Scott Walker, Governor  
Ray Allen, Secretary  
Chythania Brown, Division Administrator

April 25, 2017

TO: State Construction Craft Laborers Apprenticeship Advisory Committee  
Members & Consultants

FROM: Owen Smith, Bureau of Apprenticeship Standards  
608-266-2491; Owen.Smith@dwd.wisconsin.gov

**SUBJECT: State Construction Craft Laborers Apprenticeship Advisory Committee meeting**

DATE: Friday, April 28, 2017

TIME: 09:30 a.m.

Place: Laborers Training Center  
4633 LIUNA Way  
De Forest, WI  
*Directions: Located just off Interstate 90/94 at the HWY 19 exit*

#### **TENTATIVE AGENDA**

1. Call the meeting to order.
2. Introduce attendees.
3. Review the current roster.
4. **Old Business**
  - a. Review the follow-up items from the previous meetings:
    - i. **For action:** approve the minutes
    - ii. **For action:** discuss revising the journey worker-apprentice ratio to 1:1 initially and 2:1 thereafter.
    - iii. How are the revisions to applicant testing procedure proceeding?
  - b. Revisions to CFR 29.30
  - c. WAGE\$ and additional federal apprenticeship grants
  - d. Apprenticeship Completion Award Program
  - e. Other
5. **New Business**
  - a. Bureau personnel update
  - b. Become an [Apprentice LEADER](#).
  - c. Other

6. Review the program participants.
7. Schedule the next meeting.
8. Adjourn.

**State Construction Craft Laborers Apprenticeship Advisory Committee Meeting**

**April 22, 2016**

WI Laborer's District Council  
LIUNA Way  
Deforest, WI

**Draft Minutes**

| <b>Members Present</b>          | <b>Employer/Organization</b>          |
|---------------------------------|---------------------------------------|
| Bohne, Hunter                   | Stevens Construction--ABC             |
| Burke, Daniel                   | Laborers' Local 464                   |
| Grohmann, Gert                  | AGC of Greater Milwaukee              |
| Hoerke, Damien                  | McCabe Construction                   |
| Luedtke, Murray                 | Michel's Construction                 |
| Marcelle, Tony                  | Laborers' Local 330                   |
| Miller, Kent                    | WI Laborers                           |
| Neira, Anthony                  | Laborers' Local 113                   |
| Peterson, Timothy               | James Paterson Sons, Inc.             |
| Schmitt, John (Co-Chair)        | WI Laborers' District Council         |
| Topp, John                      | ACEA                                  |
| Zignego, Dan                    | Zignego Company--ABC                  |
| <b>Members Absent</b>           | <b>Employer/Organization</b>          |
| Dehnhoff, Jeff                  | Laborers' Local 268                   |
| Jensen, Clark                   | Laborers' Local 140                   |
| Pratt, Dawn (Co-Chair)          | Payne and Dolan                       |
| Ziegler, Craig                  | WI Laborers Apprenticeship & Training |
| <b>Consultants &amp; Guests</b> | <b>Employer/Organization</b>          |
| Emrick, Leigh                   | ABC of Wisconsin                      |
| Smith, Owen                     | Bureau of Apprenticeship Standards    |
| Wiatt, Ray                      | Laborers Apprenticeship               |

1. The meeting was called to order at 9:30 a.m. by John Schmitt, Committee Co-Chair, in conformance with the Wisconsin open meeting laws.
2. Roll call was taken.
3. The committee introduced the new members on the roster: Murray Luedtke of Michel's Corporation and Timothy Peterson of James Peterson Sons, Inc.

#### **4. Old Business**

##### **a. Review the follow-up items from the previous meeting:**

###### i. For action: approve the minutes.

The minutes from the spring meeting and spring webinar were approved with minor revisions to the attendee list and the section on ACT scores.

###### ii. How are the revisions to applicant testing procedure working?

Owen reviewed that the state committee recently required all of its local committees to accept ACT scores from applicants in lieu of taking the Accuplacer or TABE. He asked the state committee for input on how the change has been working. Ray Wiatt commented that he believes it is too early to tell how well the new assessment procedures are working. He anticipated the first large group of applicants with ACT scores will likely occur in 2017.

Other JACs and Associated Builders & Contractors shared that they will begin tracking the number of applicants who submit ACT scores, too.

##### **b. Proposed revisions to CFR 29.30**

Owen reported that the proposed revisions are currently under review by the Department of Labor. Public comment period closed in January. The Bureau and WI Apprenticeship Advisory Council replied on behalf of Wisconsin sponsors. The revisions borrowed heavily from related requirements for federal contract compliance and received strong concern from the public. Proposed revisions to previous regulations received a few hundred responses nation-wide; proposed revisions to CFR29.30 received several thousand.

Owen noted that BAS Director Karen Morgan described the potential effects on Wisconsin apprenticeship as "making our specific requirements very broad and our broad requirements very specific."

The Department of Labor is prohibited from discussing the revisions until after they are released, so the Bureau does not know how they may have been revised.

##### **c. WAGE\$**

Owen reviewed the basic parameters of the WAGE\$ grant. The award is \$5 million grant over a five-year period, during which the Bureau has committed to registering 1,000 new apprentices. The first objective of the grant is to expand registered apprenticeship into new sectors of the economy, including health care, information technology, and advanced manufacturing. The second objective is more pertinent to construction trades: increase the pool of qualified applicants by supporting youth apprenticeship programs and pre-apprenticeship readiness programs.

The second objective is how the grant will benefit construction trades. Owen explained that graduates of the youth apprenticeship program in Architecture & Construction may apply to the

laborer registered apprenticeship. In addition, new guidelines for pre-apprenticeship programs from the WI Advisory Council require pre-apprenticeship programs to have a registered apprenticeship sponsor sign off that the curriculum provides training needed by industry. Therefore, it is possible over the lifetime of the grant that such programs contact the local committees for support.

**d. Apprenticeship Completion Award Program**

Owen reminded the state committee that the program will expire on June 30, 2017. He noted that the Bureau has denied a larger sum of reimbursements than it has awarded because many apprentices fail to attach receipts to their request. The committee commented that the program was applicable only to Associated Builders & Contractors.

The committee asked a tangential question: are apprentices eligible for student loans? Nancy Nakkoul replied that they are generally not, but the technical colleges do encourage the apprentices to apply to determine whether they are or not.

**e. Other**

The committee did not have additional items.

**5. New Business**

**a. Become an Apprentice LEADER**

The committee asked whether the Bureau is keeping a central list of all participants. Owen answered that Director Morgan is keeping the list for internal purposes until the program is launched. Once it is launched, the participants may appear in outreach material, but it has not yet been determined.

**b. BAS personnel update**

Owen reported that Joshua Johnson accepted the position of Chief of Field Operations, which supervises the apprenticeship training representatives. The position was held previously by Kathy Wellington. Josh worked previously as the ATR for the Waukesha area. Josh's prior duties as Waukesha ATR are being covered by Tracy Jallah, ATR for the Madison area.

**c. Other**

Owen informed the committee that the second annual National Apprenticeship Week will be held November 14-20. All stakeholders are encouraged to host local events that showcase the value of apprenticeship in their area. The Bureau will publish a master list of statewide events closer to the week itself and email it to the state committees.

The committee asked that 2017 agenda include a discussion and possible action item of modifying the apprentice to journey worker ratio to 1:1 and then 1:2 thereafter. The revision would allow small contractors to employ their first apprentice without having to increase the number of journey workers.

**6. Program participants include 348 apprentices and 126 employers with a contract in active or unassigned status as of October 1, 2016.**

Ray Wiatt shared that his record indicates 342 apprentices currently:

- 154 first-year apprentices
- 64 second-year
- 64 third-year
- and 54 fourth-year apprentices.

Ray commented that minority applicants have increased in the Madison area and in the southeast.

Statewide, 1014 applicants tested, and 757 passed (75%). Of those who passed, 52% were minority and 10% were female.

7. The next meeting is tentatively scheduled for Friday, April 28, 2017, at 09:30, at the Laborer's Training Center in Deforest.
8. The meeting adjourned at 10:45 a.m.

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*Respectfully submitted by Owen Smith, BAS.*



State Apprenticeship Standards  
for the  
**Construction Craft Laborer  
Industry**

REVISED  
June 1, 2016

*Karen P Morgan*

Bureau Director

*Don Grant*

Co-chair

*Jolly Helms*

Co-chair

Prepared by the  
Bureau of Apprenticeship Standards  
and the  
State Construction Craft Laborer Apprenticeship Advisory Committee

**STATE OF WISCONSIN**  
**DWD**  
Department of Workforce Development

- A. The employer must be legally established and demonstrate financial responsibility if requested and have been engaged in the construction industry as an employer for at least one year.
- B. The hiring of an apprentice shall not displace a journeyworker.
- C. The employer must employ a full time journeyworker or work at the trade full time so as to ensure safe and quality training at all times (see Section XVI, Conditions of Work).
- D. The employer, when applying for training status, must provide evidence of Unemployment Insurance and Worker's Compensation coverage to the local committee.
- E. Employers may be required by the Local Apprenticeship Committee to appear at designated intervals to keep the committee informed as to the apprentice's progress, conduct, interest, schooling, etc. and may be required to provide this information in writing.
- F. If the Local Apprenticeship Committee finds that the employer is unable or unwilling to train the apprentice, the Bureau, upon recommendation of the committee, may transfer such apprentice to another employer.
- G. All employer applications for apprentices must be reviewed by the committee. The committee recommends approval or disapproval of each employer's request for an apprentice.
  - (1) The committee recommends approval or disapproval of each employer's request for an apprentice. This recommendation must be made within 40 days.
  - (2) If approval is recommended, the BAS may proceed with the preparation of the contracts.
  - (3) If, however, the committee recommends denial, the employer must be notified in writing of the committee's reasons and a copy of the notice must be provided to the BAS.
  - (4) The committee must also inform the employer how to appeal if the employer disagrees with the recommendation.
  - (5) All appeals must be investigated by the BAS and will be reviewed with the committee before the BAS makes its final disposition of the application.

#### **IX. Ratio of Apprentices to Journeyworkers**

- A. An employer may have one apprentice for every two journey workers, up to and including nine apprentices (e.g., 1:2, 2:4...9:18). Thereafter, the ratio shall be one apprentice for every five journey workers (e.g., 10:23, 11:28, etc.).
- B. Apprentices with 3000 or more hours of on-the-job and related instruction training will not count against the ratio; they will not be allowed to supervise other apprentices.
- C. The ratio will be reviewed every year after program implementation.

#### **X. Apprentice Contracts**



*Apprenticeship-Equal Opportunity*

|             |                            |
|-------------|----------------------------|
| Why now?    | Age of current regulations |
| Regulations | Key Changes                |
| Timeline    | Wisconsin                  |
| Next Steps  | Implementation             |


|             |                    |
|-------------|--------------------|
| Regulations | <b>Why Update?</b> |
|-------------|--------------------|

- Regulations have not been updated in 40 Years
- Will help employers attract a larger and more diverse pool of applicants
- Clarifying and streamlining the regulations will make it easier for sponsors to comply.
- Changes will bring policies in line with current civil rights statutes and case law.

|                |                     |
|----------------|---------------------|
| CFR 29 Part 30 | <b>Key Changes.</b> |
|----------------|---------------------|

- Extends protections against discrimination
- Improves and clarifies affirmative steps to ensure equal opportunity in apprenticeship
- Provides flexibility in implementing
- Better defines process for analyzing workforce and setting goals
- Introduces affirmative steps for employing people with disabilities in apprenticeship
- Clarifies outreach, recruitment, and retention activities

**CFR 29 Part 30** **Protected Bases**




Adds additional classifications to list of protected bases

- Age-40 and older
- Disability
- Sexual Orientation
- Genetic Information


**Regulations** **Wisconsin Impact**

- Need to update Nondiscrimination Pledge
- Apprentice Application
  - EEOC Supplemental Information



**CFR § 30.3** **Specific Actions – For All**

- Assign responsibility to an individual to oversee EEO
- Distribute EEO policy and conduct orientation and informational sessions
- Conduct outreach and recruitment
  - 1) Develop and update a list of recruitment sources
  - 2) Identify a contact at each source
  - 3) Provide recruitment sources with advance notice of apprenticeship openings



**CFR § 30.4** **Anti-harassment obligations**



- 1) Provide anti-harassment training
- 2) Make all facilities and apprenticeship activities available to all
- 3) Establish and implement procedures for handling & resolving complaints

**CFR § 30.4 Sponsors with 5 or More**

- ❑ Must have Affirmative Action Plan
  - ❑ Similar to current regulations
    - ❑ New tool to perform utilization analysis
  - ❑ Must have utilization goals
  - ❑ Must engage in targeted outreach, recruitment, and retention activities




**CFR § 30.4 Sponsors with 5 or More**

**Exemptions**

- ❑ Programs with fewer than five apprentices
- ❑ Sponsors who are meeting their goals
- ❑ Sponsors who have AA plan which meets the requirements of another governmental agency-specific cites in the rule.

**CFR § 30.10 Selection of Apprentices**

- Allows the sponsor to use any method of entry as long as not discriminatory
- Must comply with Uniform Guidelines on Employee Selection Procedures (UGESP) 41 CFR part 60-3



**§ 30.11. People with Disabilities**

- New section addresses self-identification of people with disabilities
  - Three stages
    - When applicants apply
    - After the applicant has been accepted but before begin
    - One time thereafter



**CFR § 30.13 Compliance Reviews**




- Registration agency will regularly conduct compliance reviews with findings back to sponsor within 45 days
- If the sponsor is out of compliance, sponsor must submit a remediation plan.

**Regulations Wisconsin Impact**

Timeline


- By 05/31/2017-Review changes with State Committees
- Summer 2017-Draft new rule and hold hearing
- Fall 2017-Formal Rule Making
- Winter 2018-Submit Plan to US DOL Implementation



**Regulations Wisconsin Impact**

**Wisconsin Regulatory Structure**

- WI Statutes Ch 106-No change needed
- DWD 295-Only minor changes needed
- DWD 296
- WI Apprenticeship Manual




**Karen Morgan, Director**  
 Bureau of Apprenticeship Standards  
 Department of Workforce Development  
[karen.morgan@dwd.wisconsin.gov](mailto:karen.morgan@dwd.wisconsin.gov)



## Apprenticeship Grants

### WAGE\$ Grant Overview

The ApprenticeshipUSA Wisconsin Apprenticeship Growth and Enhancement Strategies (WAGE\$) grant is a \$5 million statewide grant from the U.S. Department of Labor to the Wisconsin Department of Workforce Development, Bureau of Apprenticeship Standards from October 1, 2015 – September 30, 2020.

Key project goals are to implement Registered Apprenticeships in three sectors (Advanced Manufacturing, Health Care, and Information Technology) to ultimately result in **1,000 new apprentices**. The grant will also strengthen collaboration among organizations within the workforce system, thus increasing Wisconsin's capacity to support future Registered Apprenticeship growth.

### **WAGE\$ Sub-Recipients**

11 Workforce Development Boards

- Role: Hire or designate an Apprenticeship Liaison at each Board, assist with employer outreach, and support the development of pre-apprenticeship programs

Wisconsin Technical College System (WTCS)

- Role: Develop and modify curriculum for new apprenticeship programs and support expansion activities in classes with low enrollment

### **Proposed Occupations and Numbers of Apprentices**

- **Advanced Manufacturing**
  - Industrial Manufacturing Technician (100) - *Expansion*
  - Maintenance Technician (120) - *Expansion*
  - Welder/Fabricator (75) - *Expansion*
  - Mechatronics (32) – *New Program*
- **Information Technology – All New Programs**
  - Computer Network Support Analyst (50)
  - Computer System Analyst (100)
  - Information Security Analyst (100)
  - Data Warehouse Specialist (30)
  - Business Intelligence Analyst (60)
- **Health Care – All New Programs**
  - Community Health Care Worker (83)
  - Licensed Practical Nurse (70)
  - Medical Assistant (180)

*NOTE: The actual programs selected for development will be industry-led and may be modified, with U.S. Department of Labor approval, based on employer discussions about training needs.*

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### **State Expansion Grant**

The ApprenticeshipUSA State Expansion Grant is a \$1.5 million statewide grant from the U.S. Department of Labor to the Wisconsin Department of Workforce Development, Bureau of Apprenticeship Standards beginning November 1, 2016 with continuation funding available.

Key project goals are to expand apprenticeship into two new areas (Biotech and Finance), to increase apprenticeship in high growth construction sectors, and to expand training opportunities for underrepresented workers. The grant will result in an addition **427 new apprentices.**

### ***Expansion Grant Sub-Recipients***

- 2 Workforce Development Boards: Employ Milwaukee and Workforce Development Board of South Central Wisconsin

### ***Key Registered Apprenticeship Expansion Grant Strategies***

1. Target regions with high growth sectors and concentrations of underrepresented workers
2. Enhance the pipeline for underrepresented workers
3. Increase Registered Apprenticeship demand in the construction sector
4. Expand into new high growth sectors
5. Continue funding for best practices statewide

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### **Accelerator Grant**

The ApprenticeshipUSA State Expansion Grant is a \$200,000 statewide grant from the U.S. Department of Labor to the Wisconsin Department of Workforce Development, Bureau of Apprenticeship Standards from July 1, 2016 – December 2017.

Key project goals are to align the skills of Apprenticeship Training Representatives to meet the projected increase in outreach duties; conduct asset mapping to better tell the apprenticeship story to new industries; conduct outreach and technical support; and hold strategic partnership meetings and associated trainings. The grant initiatives will expand Bureau of Apprenticeship Standards capacity and include organizational changes that will enhance overall apprenticeship outreach efforts.



# ApprenticeshipUSA

## FACTSHEET

[www.dol.gov/apprenticeship](http://www.dol.gov/apprenticeship)

## Access to Registered Apprenticeship – A Proven Path to In-Demand Skills and the Middle Class

Apprenticeship rule update will help employers grow and diversify their apprenticeship programs

### Background

Registered Apprenticeship is a powerful tool for growing our economy and workforce. It helps our workers and employers alike by providing skills-driven training tailored to the needs of our nation's businesses. Apprentices can afford to get the training they need because they learn skills on the job while earning wages. Employers can develop a top-notch, state-of-the-art workforce to stay competitive while apprentices benefit from hands-on career training and national industry certification; it can even lead to more workers getting the advanced training and college degrees they need to compete in the 21st Century economy.

Apprenticeships provide a measurable return on investment for our economy with nine out of ten apprentices employed after completion; the average starting wage is more than \$60,000. And studies show that apprentices who complete their training can earn substantially more over their lifetime - approximately \$240,000 more than their peers who didn't participate in apprenticeship. A stronger apprenticeship system is good for employers too – employers that sponsor apprenticeship programs report higher productivity and retention rates.

The U.S. Department of Labor is working to double and diversify the number of apprentices in the United States - to ensure that more Americans from all backgrounds can benefit from this proven training model. As part of this effort, we have updated and simplified the guidelines for employers and other apprenticeship sponsors on how to ensure Equal Employment Opportunity in apprenticeship programs for traditionally under-represented groups, including

women, minorities, and people with disabilities. These rules have long provided that employers cannot discriminate on the basis of race, color, religion, national origin and sex, in addition to requiring sponsors to take affirmative action efforts to ensure equal opportunity in apprenticeships. But these rules have not been updated since 1978, and needed to be revised to meet the realities of the modern economy and extend protections against discrimination to include a broader range of America's workforce. The updated guidelines will also make it more straightforward for sponsors to comply with the rules and will bring the rule in accord with the current landscape of civil rights statutes and developing case law.

Modernizing and streamlining the rules will also make it easier for employers and apprenticeship sponsors to effectively grow and diversify their apprenticeship programs. These rules are a tool to help programs reach a larger and more diverse pool of applicants, as well as to help improve the experience of all individuals while in the program, thereby broadening participation in apprenticeships and improving the quality of programs.

The updated rules are designed to help employers and apprenticeship sponsors access all of the nation's talent. Women, for example, make up nearly one-half of the American workforce, but less than ten percent of all registered apprentices, meaning many employers are missing out on a large source of talent. Minorities are also under-represented in many industries compared to their share of the talent pool. For instance, while Hispanics make up approximately one

sixth of the labor force, they account for less than one tenth of apprenticeship enrollments in industries such as manufacturing, utilities, and transportation.

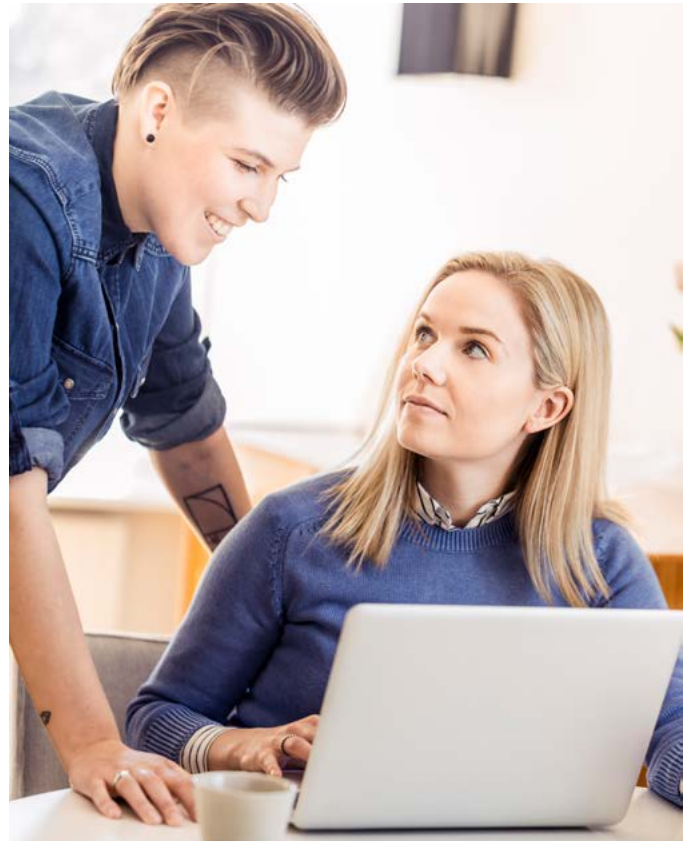
The new rules are designed to help employers and apprenticeship sponsors access more of America's talent, and to ensure that we tap into our nation's full potential.

## What's New in the Apprenticeship Equal Employment Opportunity Regulations

Apprenticeship sponsors and employers have long been responsible for ensuring a workplace free from discrimination and taking affirmative steps to support diversity by reaching a broader pool. The first updates to these regulations in nearly 40 years will provide employers and other apprenticeship sponsors with greater clarity in meeting these responsibilities.

The final rule improves on the previous regulations by:

- Extending protections against discrimination to include a broader range of America's workforce, including protections based on disability, age (40 or older), sexual orientation, and genetic information.
- Improving and clarifying the affirmative steps employers and sponsors must take to ensure equal opportunity in apprenticeship.
- Providing new apprenticeship programs with additional flexibility, including up to two years to develop initial affirmative action programs.
- Simplifying and clearly defining the process for analyzing the talent available in the labor market to establish clear and achievable goals for diversity in apprenticeship making it easier for employers and sponsors to comply.
- Clarifying the outreach, recruitment, and retention activities expected of sponsors by specifying four common-sense required activities, such as advertising openings and partnering with educational institutions to recruit diverse talent.
- Providing effective technical assistance - the Office of Apprenticeship will provide technical assistance to States and work with apprenticeship program sponsors to help them meet their affirmative action responsibilities.



## More Information About the Final Rule

The full text of the final rule and other information can be found on the Office of Apprenticeship's EEO website, see <https://www.doleta.gov/oa/eoo/>.

## Detailed Summary of the Apprenticeship Equal Employment Opportunity Final Rule

The following is a summary of the previous rule and the updates made in this final rule.

### Nondiscrimination

- The previous rule prohibited discrimination in the recruitment, selection, employment and training of apprentices on the basis of race, color, religion, national origin, and sex.
- The updated final rule expands protected groups for nondiscrimination purposes, including disability, age (40 or older), sexual orientation, and genetic information. The final rule's EEO pledge also clarifies that sex discrimination includes discrimination on the basis of pregnancy and gender identity.



## Affirmative Steps to Ensure Equal Employment Opportunity

- The previous rule established that program sponsors have a general duty in operating their Registered Apprenticeship program to engage in affirmative steps to ensure equal opportunity. However, the previous regulation did not make explicit how employers had to comply with this obligation, which could lead to uncertainty.
- The final rule clarifies what sponsors must do by setting forth the basic steps that all Registered Apprenticeship programs must undertake, eliminating confusion as to what compliance looks like. These affirmative steps, which draw from best practices that some sponsors already engage in, include:
  - Assigning responsibility to an individual to oversee EEO efforts;
  - Internally distributing the EEO policy as well as conducting orientation and information sessions for apprentices regarding the EEO policy;
  - Conducting outreach and recruitment and providing notice about apprenticeship openings to community-based organizations, schools, and other groups that represent diverse populations and who can help increase apprenticeship applications from those populations; and,
  - Keeping the workplace free from harassment, intimidation, and retaliation, which includes anti-harassment training and maintaining procedures for handling and resolving complaints.

## Written Affirmative Action Program

- The previous rule required sponsors with five or more apprentices to establish an Affirmative Action Program (AAP) at the time their apprenticeship program was registered (either with OA or a recognized State Apprenticeship Agency). The AAP includes a written plan that details the steps the sponsor has taken and will take to ensure equal opportunity in recruitment, selection, employment, and training of apprentices.
- **The final rule now allows new program sponsors more time** to establish initial AAPs. New program sponsors will have up to two years to prepare an initial written affirmative action plan. This will give sponsors ample time for preparation of their first plan under these proposed regulations.

- The final rule exempts certain sponsors from the requirement to maintain and update an AAP, in keeping with the previous rule:
  - Sponsors with fewer than five apprentices; and
  - Sponsors that are already in compliance with other equal opportunity programs providing for affirmative action on the bases of race, ethnicity, sex, and disability, including the use of goals for any underrepresented group. An example is federal contractors that have written AAPs developed in accordance with Executive Order 11246 and Section 503 of the Rehabilitation Act, administered by the Department’s Office of Federal Contract Compliance Programs (OFCCP).

## Analysis of Apprenticeship Programs’ Composition by Race, Ethnicity, and Sex

- Under the previous regulations, non-exempt sponsors typically worked with their registration agencies to analyze the racial, sex, and ethnic composition of their apprenticeship workforce (“workforce analysis”) and compare that to the composition of qualified individuals in the relevant labor market (“availability analysis”). This comparison is the “utilization analysis.” If the portion of women or minorities was significantly less among the sponsor’s apprentices than is reasonably expected given the availability of those individuals in the labor market, then the sponsor had to set goals and undertake good faith efforts to meet these goals.
- The final rule maintains these requirements but also:
  - Explains that these goals (1) are not rigid and inflexible quotas that must be met; (2) do not allow preferential selection on the basis of race, sex, or ethnicity; (3) do not create “set-asides” for specific groups; and (4) cannot be used to supersede eligibility requirements.
  - Adjusts the workforce analysis so that it is conducted at the occupation level, and the utilization analysis at the major occupation category level, using a common source of data easily accessible to sponsors.
  - Simplifies the process for analyzing the labor market composition by: (1) decreasing the number of data sources to be analyzed; (2) clarifying the steps required to do the analysis; (3) providing clear directions for establishing goals; and (4) making clear that the Registration Agency will assist the sponsor throughout this process.

## Expansion to Individuals with Disabilities

- The previous regulations did not include nondiscrimination or affirmative action requirements on the basis of disability.
- **The final rule adds disability** to the bases protected by the nondiscrimination requirement, and it adds disability as an element of sponsors' affirmative action programs. Rather than each program conducting an availability analysis specific to its labor market, the final rule establishes a single, national goal that seven percent of programs' apprentices be individuals with disabilities. This approach is based upon available labor market demographic data and is consistent with OFCCP's revised Section 503 regulations that, among other things, established a nationwide seven percent goal for the utilization of qualified individuals with disabilities by federal contractors.
- As with race/sex goals, this updated rule clarifies that the seven percent goal is not a quota, and sponsors will not be cited for violations simply for failing to meet the goal. Rather, sponsors that do not meet the goal would be required to examine if impediments to equal opportunity exist, and if so, to correct those impediments.
- To provide sponsors with necessary information on applicants' and apprentices' disability status, under the rule sponsors invite individuals to voluntarily self-identify as an individual with a disability.

## Outreach and Recruitment

- The previous rule set forth 10 kinds of outreach, recruitment, and retention activities but does not specify which, or how many, were required.
- In the final rule, there are only two different outreach and recruitment obligations set forth in the rule.
- The final rule provides more clarity as to how outreach obligations work.
- First, the rule states that all sponsors must implement measures to ensure that its outreach and recruitment measures extend to all potential apprentices regardless of race, sex, ethnicity, or disability. To do so, the sponsor must:
  - Develop and update a list of recruitment sources (several examples of which are provided in the rule);

- Identify a contact person at each recruitment source; and
  - Provide these recruitment sources advance notice of openings to they can notify and refer candidates
- Second, the rule also requires that those sponsors that maintain an AAP and are required to set race/sex utilization goals, and/or that identify barriers to EEO with regard to disability, must engage in targeted outreach, and recruitment, and retention activities in response. These activities are:
    - Distributing information to community-based organizations, local high schools, local community colleges, local vocational, career and technical schools, career centers at minority serving institutions, and other groups;
    - Advertising openings by publishing advertisements in electronic media and other appropriate forms;
    - Cooperating with local school boards and vocational education systems to develop relationships with pre-apprenticeship programs in order to prepare students from under-represented groups to meet apprenticeship entry standards; and
    - Establishing agreements to enlist the support of pre-apprenticeship programs, community-based organizations, or advocacy organizations in recruiting qualified individuals and in developing pre-apprenticeship programs.

## Selection of Apprentices

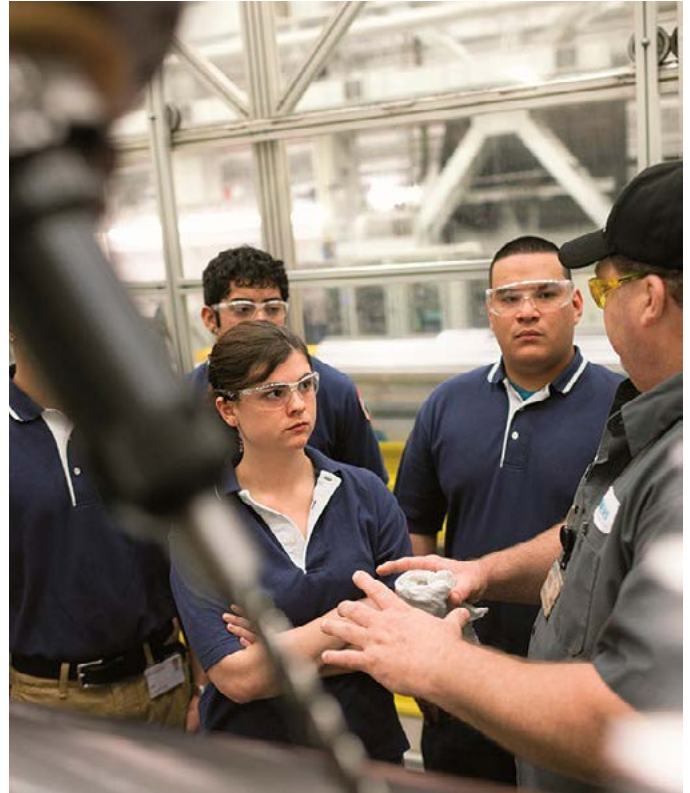
- The previous rule set forth four detailed mechanisms by which sponsors may select apprentices into their programs.
- The final rule provides much greater flexibility for selection, providing that sponsors may use any method to select apprentices so long as that method complies with long-established Uniform Guidelines on Employee Selection Procedures and the Americans with Disabilities Act, is uniformly and consistently applied, and is not discriminatory.

## Complaint Procedure

- The previous regulations provided that applicants or apprentices could file a written complaint with OA or the State Apprenticeship Agency alleging discrimination or a failure to comply with other equal opportunity provisions.
- The final rule clarifies the complaint procedures both for individuals to file EEO complaints and for OA and State Apprenticeship to handle these complaints.

## Measures for Noncompliance

- OA recognizes the voluntary nature of these programs and wants Registered Apprenticeships to succeed. It uses compliance enforcement measures as a last resort after exhausting other avenues.
- The previous regulations' measures for noncompliance included cancellation or deregistration of an apprenticeship program.
- The final rule includes additional, more flexible, enforcement mechanisms. Rather than the only enforcement mechanisms being deregistration or cancellation of a program, which essentially would shut down the apprenticeship program, the updated rule allows the placement of a temporary moratorium on a sponsor's registration of new apprentices. This will allow the sponsor to work with the Registration Agency to address the violations and meet the steps identified in its compliance action plan before deregistration proceedings are instituted.





## WTCS System-Wide Activity Update for Spring 2017

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- **WTCS Apprenticeship Completion Report:** The WTCS published the new Apprenticeship Completion Report in February 2017 with data from completers from 2014-15.  
<http://www.wtcsystem.edu/about-us/wtcs-overview>
  - Of 669 apprentice completers surveyed, 263 responded for a 39% response rate.
  - 95% indicated they were employed in the trade for which they received training, down 4% from the prior report.
  - Annual median earnings of \$67,595 was reported across all sectors, up approximately \$1200 from the prior report.
  - 95% indicated that they were very satisfied or satisfied with their paid-related instruction. For On-The-Job Training, 90% reported they were very satisfied or satisfied.
  - 34% are considering continuing their formal education, up slightly from 31% from the prior year's survey (i.e., Technical Studies Journey Worker AAS, associate degree, bachelor's degree)
- **WTCS Apprenticeship Enrollment Trend:** Enrollment across all apprenticeship programs is up 47% between 2013 and 2016, far outpacing enrollment growth in non-apprenticeship technical degree and diploma programs at the WTCS Colleges. As of end of academic year 2016, there were 6128 apprentices enrolled the Wisconsin Technical College System, unduplicated count. That is a 14% increase from the prior year. With duplicates, there are 6,633 enrollments. Confirmed actual enrollment data for the 2016-17 year will not be available until August 2017.
- **System-wide Curriculum:** PRI model Curriculum Standards are established and currently posted for 51 trades to the WTCS WIDS Repository. Additional curriculum projects are underway for 2016-17, in particular for new apprenticeship programs for Auto Body Collision and Organic Vegetable Farm Grower/Manager, as well as those occupations targeted under the WAGE\$ grant in Mechatronics and IT-Software Developer. Colleges are able to map/create a matrix showing how their curriculum aligns with the model standards and to evaluate credits earned. ATRs regularly use the PRI documents to explain and promote learning content to current and potent apprenticeship sponsors.
- **Great Lakes Tools of the Trade/WTCS Apprenticeship Scholarships:** The Great Lakes Higher Education Foundation once again awarded 200, \$1000 scholarships for industrial and construction apprentices. Awards were distributed in February 2017.
- **Apprentice Direct Instructional Support GPR grants:** For 2016-17, the WTCS has allocated up to \$300,000 in grant funds to support direct instruction for apprentices due to rapidly expanding enrollments and opening of new programs and sections. This continues to reflect a 50% increase in the investment of funds available since 2015.



## State Committee Report - Construction

### State Const Craft Laborers Advisory Comm

This summary counts employers and apprentices with contract(s) active or unassigned on 4/25/2017 in trade(s) associated with this committee.

| Sponsor Name<br>Trade                          | Apprentices |           |             |           |             |            |              |            |              | Employers  |              |              |                  |              |
|--|-------------|-----------|-------------|-----------|-------------|------------|--------------|------------|--------------|------------|--------------|--------------|------------------|--------------|
|  | Total       | Minority  |             | Female    |             | Union      |              | Non- Union |              | Total      | W/Union Appr |              | W/Non-Union Appr |              |
|  |             | #         | %           | #         | %           | #          | %            | #          | %            |            | #            | %            | #                | %            |
| 1  | 2           | 3         | 3a          | 4         | 4a          | 5          | 5a           | 6          | 6a           | 7          | 8            | 8a           | 9                | 9a           |
| <b>All Sponsors Total</b>                      | <b>287</b>  | <b>48</b> | <b>16.7</b> | <b>17</b> | <b>5.9</b>  | <b>269</b> | <b>93.7</b>  | <b>18</b>  | <b>6.3</b>   | <b>121</b> | <b>116</b>   | <b>95.9</b>  | <b>5</b>         | <b>4.1</b>   |
| <b>ABC of Wisconsin (All)</b>                  | <b>18</b>   | <b>2</b>  | <b>11.1</b> | <b>2</b>  | <b>11.1</b> |            |              | <b>18</b>  | <b>100.0</b> | <b>5</b>   |              |              | <b>5</b>         | <b>100.0</b> |
| Construction Craft Laborer (186946358001)      | 18          | 2         | 11.1        | 2         | 11.1        |            |              | 18         | 100.0        | 5          |              |              | 5                | 100.0        |
| <b>Fox Valley Area Laborers JAC</b>            | <b>29</b>   | <b>2</b>  | <b>6.9</b>  | <b>2</b>  | <b>6.9</b>  | <b>29</b>  | <b>100.0</b> |            |              | <b>16</b>  | <b>16</b>    | <b>100.0</b> |                  |              |
| Construction Craft Laborer (186946358001)      | 29          | 2         | 6.9         | 2         | 6.9         | 29         | 100.0        |            |              | 16         | 16           | 100.0        |                  |              |
| <b>Northwest WI Constr Craft Laborers JAC</b>  | <b>40</b>   | <b>3</b>  | <b>7.5</b>  | <b>0</b>  | <b>0.0</b>  | <b>40</b>  | <b>100.0</b> |            |              | <b>20</b>  | <b>20</b>    | <b>100.0</b> |                  |              |
| Construction Craft Laborer (186946358001)      | 40          | 3         | 7.5         | 0         | 0.0         | 40         | 100.0        |            |              | 20         | 20           | 100.0        |                  |              |
| <b>SE WI Construction Craft Laborers JAC</b>   | <b>109</b>  | <b>33</b> | <b>30.3</b> | <b>9</b>  | <b>8.3</b>  | <b>109</b> | <b>100.0</b> |            |              | <b>50</b>  | <b>50</b>    | <b>100.0</b> |                  |              |
| Construction Craft Laborer (186946358001)      | 109         | 33        | 30.3        | 9         | 8.3         | 109        | 100.0        |            |              | 50         | 50           | 100.0        |                  |              |
| <b>South Central Constr Craft Laborers JAC</b> | <b>56</b>   | <b>9</b>  | <b>16.1</b> | <b>4</b>  | <b>7.1</b>  | <b>56</b>  | <b>100.0</b> |            |              | <b>28</b>  | <b>28</b>    | <b>100.0</b> |                  |              |
| Construction Craft Laborer (186946358001)      | 56          | 9         | 16.1        | 4         | 7.1         | 56         | 100.0        |            |              | 28         | 28           | 100.0        |                  |              |
| <b>SW WI Area Const Craft Laborers JAC</b>     | <b>35</b>   | <b>2</b>  | <b>5.7</b>  | <b>1</b>  | <b>2.9</b>  | <b>35</b>  | <b>100.0</b> |            |              | <b>16</b>  | <b>16</b>    | <b>100.0</b> |                  |              |
| Construction Craft Laborer (186946358001)      | 35          | 2         | 5.7         | 1         | 2.9         | 35         | 100.0        |            |              | 16         | 16           | 100.0        |                  |              |

Wisconsin Bureau Of Apprenticeship Standards  
**State Const Craft Laborers Advisory Comm**  
**Historical Report by Year**



Report Period: 2017\* and Previous 10 Years

| *Current year is YTD data as of Run Date: 04/25/2017 |                    |                  |
|--|--------------------|------------------|
| Run Date: 04/25/2017                                 |                    |                  |
| State Const Craft Laborers Advisory Comm             |                    |                  |
| Sponsored Trade Group(s): Construction               |                    |                  |
| Year   | Active Apprentices | Active Employers |
| 2007   | 245                | 95               |
| 2008   | 251                | 112              |
| 2009   | 220                | 114              |
| 2010   | 255                | 127              |
| 2011   | 251                | 127              |
| 2012   | 226                | 109              |
| 2013   | 256                | 116              |
| 2014   | 343                | 135              |
| 2015   | 374                | 133              |
| 2016   | 427                | 137              |
| 2017   | 316                | 125              |

