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STATE OF WISCONSIN



Department of Workforce Development

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

May 1, 2017

TO: State Roofer & Waterproofer Apprenticeship Advisory Committee Members & Consultants

FROM: Owen Smith, Bureau of Apprenticeship Standards  
608-266-3133; Owen.Smith@dwd.wisconsin.gov

**SUBJECT: State Roofer & Waterproofer Apprenticeship Advisory Committee Meeting**

DATE: May 3, 2017

TIME: 10:00 AM

Place: SE Wisconsin Roofers Training Center  
16601 W Dakota St.  
New Berlin, WI

#### **TENTATIVE AGENDA**

1. Call the meeting to order.
2. Distribute the sign-in sheet. Introduce the attendees.
3. Review the roster. Discuss involvement of non-WI sponsors.
4. **Old Business**
  - a. Review the follow-up items from the previous meeting:
    - i. **For action:** approve the minutes.
    - ii. **For action:** involving non-WI apprenticeship sponsors in state committee meetings
    - iii. **For action:** requiring OSHA 30 in Special Provisions section of Exhibit A
  - b. Revisions to CFR 29.30 (AA/EEO regulations)
  - c. American Apprenticeship Grant (WAGE\$)
  - d. Apprenticeship Completion Award Program
  - e. Other
5. **New Business**
  - a. BAS personnel updates
  - b. Become an Apprenticeship LEADER
  - c. Other
6. WTCS Update

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

**STATE ROOFER AND WATERPROOFER APPRENTICESHIP ADVISORY COMMITTEE**

**September 13, 2016**

Roofers Local #65  
16601 W Dakota St.  
New Berlin, WI

**DRAFT MINUTES**

<b>Members Present</b>	<b>Employer / Organization</b>
Bartowitz, Alfred (Skip)	Roofers Local #65
Busalacchi, Chris	Schranz Roofing
Ferreira, Gerry (Co-Chair)	Roofers Local #65
Gorman, Travis	Roofers Local 11
Langer, Mark (Co-Chair)	Langer Roofing & Sheet Metal
McNulty, Dennis	Roofers Local 65
Noffke, Ben	Noffke Roofing (ABC)
Utecht, Allan	Walsdorf Roofing Co. (ABC)

<b>Members Absent</b>	<b>Employer / Organization</b>

<b>Consultants &amp; Guests</b>	<b>Employer / Organization</b>
Breitlow, Lois	SE WI Area Roofing JAC
Emrick, Leigh	Associated Builders & Contractors
Jarowski, Pete	Roofers Local 96 – Minneapolis, MN
Smith, Owen	Bureau of Apprenticeship Standards
Triscari, Nick	Milwaukee Area Technical College
Ziffer, Tim	Bureau of Apprenticeship Standards

1. The meeting was called to order at 10:05 a.m. by Gerry Ferreira, in conformance with the Wisconsin Open Meeting Law.
2. Roll-call was taken. A sign-in sheet was distributed. A quorum was present.
3. The committee reviewed the current roster. The committee is full. Owen reminded the committee that it had requested adding a member from Roofers Local 96 in Minnesota because the local operates extensively in Eau Claire and Fond du Lac. Owen explained that the committee has two options: invite Pete as a non-voting consultant; or add Pete as a voting Employee member, in which case the committee would have to add a voting Employer member as well, to balance the committee. The Employer member would be from a union contractor so the percentage of Employer members from union contractors would approximate the percentage of union roofing apprentices.

A general discussion followed.

*Action: the committee decided to have Pete attend as a consultant so he could determine whether he required travel was feasible. The committee will discuss the matter again at the spring meeting.*

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

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

##### **i. Approve the minutes of the previous meeting**

The minutes of the previous meeting were approved as written.

##### **ii. DWD research on whether youth apprentice can perform roofing and related work**

Jaime Bernthal informed the committee that both federal and state laws prohibit student learners from performing roofing work or related work on the ground. Therefore, Jamie encouraged roofing contractors interested in working with youth apprentices to hire youth apprentice graduates or pursue other outreach and educational programs that do not include a work component.

A general discussion followed. Members shared experiences with career fairs, presentations at high schools, and other outreach efforts to high school students. Pete shared programs available in Minnesota that involve work exposure but no credit.

##### **b. Pending revision for CFR 29.30 (AA/EEO regulations)**

Owen reminded the committee that the proposed revisions are to the federal regulations governing affirmative action and equal employment regulations for registered apprenticeship programs. The draft revisions closely heavily borrowed requirements for federal contract compliance. Subsequent public input expressed noticeable concern that the revisions would not be beneficial for apprenticeship. The Department of Labor is prohibited from discussing the revisions until they are released, so the Bureau does not know the pending content. The revisions are now projected to be released after the Presidential election.

**c. Become an Apprenticeship LEADER.**

The committee reviewed the flier and registration form for the LEADER campaign. Owen noted that the objective of the campaign is to have sponsors explain the benefits of training through registered apprenticeship to new industries and potential sponsors. Employer-to-employer outreach is the most influential form of outreach. The program is open to all stakeholders. The Bureau asks a commitment of one year. Potential activities include speaking at roundtables, permitting the Bureau to use the company logo on outreach material, and more. The activities are at the discretion of the employer.

**d. American Apprenticeship Grant (WAGE\$)**

Owen reminded the committee that one goal of the WAGE\$ grant is to increase the pool of qualified applicants. To accomplish this, the grant will provide funding to workforce development boards to promote youth apprenticeship programs and pre-apprenticeship programs. Guidelines for pre-apprenticeships programs in Wisconsin, developed by the WI Apprenticeship Advisory Council, require the programs to have active registered apprenticeship sponsors verify that the curriculum is needed by the industry. This helps ensure that the programs are training participants in necessary skills and are partnered with registered apprenticeship sponsors.

The committee asked whether WRTP / BIG STEP is an example of a pre-apprenticeship program. Owen confirmed that it is.

**e. Apprenticeship Completion Award Program**

Owen presented the current reimbursement report. He noted that the total funds denied for reimbursement by the Bureau is significantly large because it includes both requests received without proper documentation and requests for more than the maximum reimbursement. The program will expire on June 30, 2017. Whether it is renewed or not will be a decision of the legislature.

**f. Other**

No other items were raised.

**5. New Business**

**a. For action: require minimum of OSHA 30?**

Owen reviewed that the committee has been discussing for two years whether to increase the statewide required safety training from OSHA 10 to OSHA 30.

The committee discussed how, most local committees require their apprentices to take OSHA 30 because it has become the industry norm. In fact, many job sites will not permit workers who have less than OSHA 30. However, the committee expressed concern that OSHA 30 may prolong block training and may have to be incorporated into local union contracts.

*Action: the state committee tabled the discussion until the 2017 spring meeting.*

**b. BAS personnel update**

Owen reported that Joshua Johnson is the new Chief of Field Operations for the Bureau. He filled the vacancy left by Kathy Wellington. He was formerly the Apprenticeship Training Representative for Waukesha County.

**c. Other**

No additional topics were brought forth.

**6. WTCS Update**

Owen reported that the system-wide update from the WTCS office is available in the meeting packet and online on the state committee website. Nick Triscari did not have local updates to present.

**7. Review the program participants.**

Program participants included 80 apprentices and 20 employers with a contract in active or unassigned status on August 31, 2016. Members and consultants agreed that the data look accurate.

8. The next meeting is tentatively scheduled for Tuesday, April 11, 2017, at 10:00 a.m. at Roofers Local 65 in New Berlin.

9. The meeting was adjourned at 11:05 a.m.

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Respectfully submitted by Owen Smith,  
Bureau of Apprenticeship Standards

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 Roofer and Waterproofers • 1-866381010-02-T  
 Exhibit A - Program Provisions

**Approved: January 9, 2015**

**TERM OF APPRENTICESHIP:** The term of apprenticeship shall be Time-based, which has been established to be 4 years of not less than 6000 hours. Hours of labor shall be the same as established for other skilled employees in the trade.

**PROBATIONARY PERIOD:** The probationary period shall be the first 1500 hours of employment, but in no case shall it exceed twelve calendar months. During the probationary period, this contract may be cancelled by the apprentice or the sponsor upon written notice to the Department, without adverse impact on the sponsor.

**SCHOOL ATTENDANCE:** The apprentice shall attend the Wisconsin Technical College System or other approved training provider, as assigned, for paid related instruction four hours per week or the equivalent and satisfactorily complete the prescribed course material for a minimum of 400 hours, unless otherwise approved by the Department. The employer must pay the apprentice for attended related instruction hours at the same rate per hour as for services performed.

**WORK PROCESS SCHEDULE:** In order to obtain well-rounded training and thereby qualify as a skilled worker in the trade, the apprentice shall have experience and training in the following areas. This instruction and experience shall include the following operations but not necessarily in the sequence given. Time spent on specific operations need not be continuous.

<u>Work Process Description</u>	<u>Approximate Hours</u> (Min - Max)
Composition of Asphalts and General Work Abilities	3100
<ol style="list-style-type: none"> <li>1. Complete asphalt and roof safety.</li> <li>2. Knowledge/heating of asphalts relating to skid kettle work, wheel kettles and transports.</li> <li>3. Primer application for deck preparations.</li> <li>4. B.U.R. which includes the following:</li> <li>5. Preparation of surface</li> <li>6. Applications of vapor barriers, when required</li> <li>7. Insulation application</li> <li>8. Taper systems, crickets, cants</li> <li>9. Applying/cutting all types of roofing asphalt and/or pitch membrane</li> <li>10. Asphalt applications, hand mopping and mechanical</li> <li>11. Proper applications and knowledge of all roof penetrations such as curbs, stacks and drain systems (including modified mop applied)</li> <li>12. Distribution of roof gravels</li> <li>13. Reading knowledge of taper systems and blueprint reading</li> <li>14. Complete knowledge of all roofing equipment</li> </ol>	
Elastomers and Plastimer	
<ol style="list-style-type: none"> <li>1. All categories concerning job preparation as well as application of insulation systems</li> <li>2. Knowledge of all E.P.D.M. or P.V.C. systems</li> <li>3. Applying the elastomers or plastimer membrane</li> <li>4. Application of all detail work, flashing and penetrations</li> <li>5. Anchoring and terminations</li> <li>6. Modified system application (torch applied)</li> <li>7. Detail work of modified system</li> </ol>	
General	2300
<ol style="list-style-type: none"> <li>1. Loading and unloading materials/equipment for roof/ground level</li> </ol>	

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 Exhibit A - Program Provisions

2. Carrying and placing of materials as required
3. Basic safety procedures of "hot" and roof safety
4. Knowledge of tear-off procedures concerning hand tools such as spud bars, forks, pyne bars and other small hand tools
5. Removal of gravel, felts, insulation and clean-up of area for re-roofing
6. Operation of power equipment used for roof removal and transportation of asphalt to work areas
7. Nailing, plastic and fabric application on flashing and materials used for protection of flashing from ultraviolet rays
8. Comprehensive idea of all roofing materials
9. Application and maintenance of green roofing and waterproofing systems including but not limited to highly reflective roofing membranes, PV systems, solar collectors on the roof and vegetative roofs

Application of Shingling and Waterproofing	200
<ol style="list-style-type: none"> <li>1. All systems involving shingling, tile, slate and other roofing membrane</li> <li>2. Any/all waterproofing systems involved on commercial or residential buildings</li> <li>3. All work processes, both primary and typical, as listed in Prevailing Wage Code 133, Roofer or Waterproofer</li> <li>4. Waterproofing of bridges, roadways, sidewalks, tunnels, retention ponds and parking structures</li> </ol>	
Paid Related Instruction	400
<b>TOTAL</b>	<b>6000</b>

The above schedule is to include all operations and such other work as is customary in the trade.

**MINIMUM COMPENSATION TO BE PAID:**

An apprentice contract wage scale is deemed adequate when, during the term of training, it averages 60% of the current journeyworker rate or skilled wage rate. The apprentice contract shall provide for a graduated scale progressing in periods as approved by the department. (DWD 295.05)

Base skilled wage rate N/A per hour.

If at any time the base skilled wage rate rises or falls, the apprentice's wage shall be adjusted proportionately. The wage rate of apprentices employed in this trade and this firm shall be based on the base skilled wage rate stated above.

All apprentices are covered by State and Federal Wage and Hour Standard requirements. All apprentices shall be paid no less than the minimum wage established under regulations.

**CREDIT PROVISIONS:** The apprentice, granted credit at the start or during the term of the apprenticeship, shall be paid the wage rate of the pay period to which such credit advanced the apprentice.

<b>Work credit hours approved:</b>	N/A
<b>School credit hours approved:</b>	
<b>Paid related instruction:</b>	N/A
<b>Unpaid related instruction:</b>	N/A
<b>Total credit hours to be applied to the term of the apprenticeship:</b>	N/A



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Exhibit A - Program Provisions

**SPECIAL PROVISIONS:**

Apprentices shall attend unpaid related instruction on their own time and take such subjects as the local committee requires up to a maximum of 80 hours.

Apprentices shall satisfactorily complete an approved first aid and CPR course during the term of the Apprentice Contract. The local committee will determine if these courses will be part of paid or unpaid related instruction.

The apprentice in his/her final year must take the Transition to Trainer course. The local committee will determine if this course will be part of paid or unpaid related instruction.




*Apprenticeship-Equal Opportunity*

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

Regulations	<b>Why Update?</b>
<ul style="list-style-type: none"> <li>Regulations have not been updated in 40 Years</li> <li>Will help employers attract a larger and more diverse pool of applicants</li> <li>Clarifying and streamlining the regulations will make it easier for sponsors to comply.</li> <li>Changes will bring policies in line with current civil rights statutes and case law.</li> </ul>	

CFR 29 Part 30	<b>Key Changes.</b>
<ul style="list-style-type: none"> <li>Extends protections against discrimination</li> <li>Improves and clarifies affirmative steps to ensure equal opportunity in apprenticeship</li> <li>Provides flexibility in implementing</li> <li>Better defines process for analyzing workforce and setting goals</li> <li>Introduces affirmative steps for employing people with disabilities in apprenticeship</li> <li>Clarifies outreach, recruitment, and retention activities</li> </ul>	

**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**  
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## 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.

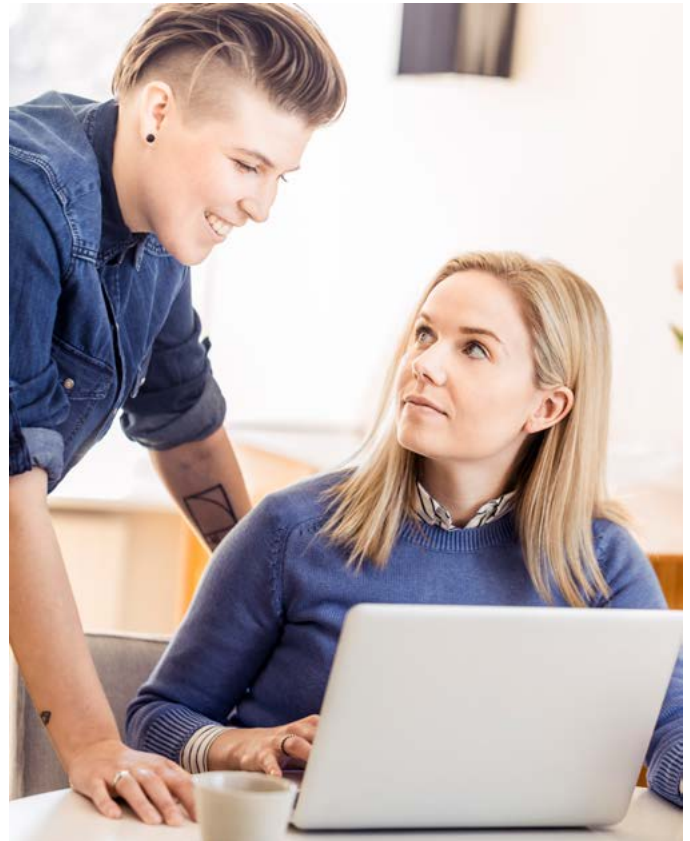
The new rules are designed to help employers and apprenticeship sponsors access more of America's talent, and to ensure that we tap into our nation's full potential.

## 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

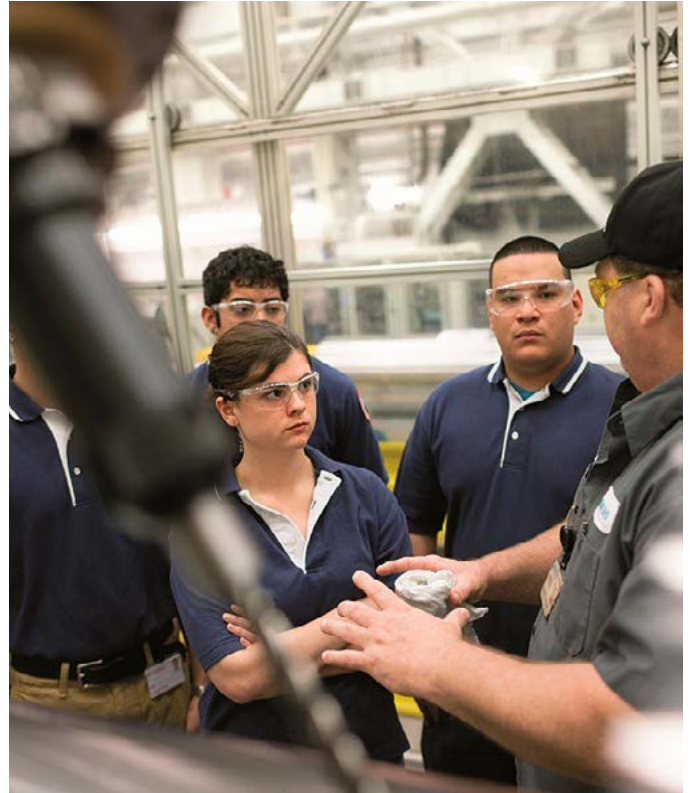
- The previous rule set forth four detailed mechanisms by which sponsors may select apprentices into their programs.
- The final rule provides much greater flexibility for selection, providing that sponsors may use any method to select apprentices so long as that method complies with long-established 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 Roofers & Waterproofers Adv Comm

This summary counts employers and apprentices with contract(s) active or unassigned on 5/1/2017 in trade(s) associated with this committee.

Sponsor Name 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>73</b>	<b>13</b>	<b>17.8</b>	<b>1</b>	<b>1.4</b>	<b>58</b>	<b>79.5</b>	<b>15</b>	<b>20.5</b>	<b>18</b>	<b>12</b>	<b>66.7</b>	<b>6</b>	<b>33.3</b>
<b>ABC of Wisconsin (All)</b>	<b>15</b>	<b>4</b>	<b>26.7</b>	<b>0</b>	<b>0.0</b>			<b>15</b>	<b>100.0</b>	<b>6</b>			<b>6</b>	<b>100.0</b>
Roofer and Waterproofer (186638101002)	15	4	26.7	0	0.0			15	100.0	6			6	100.0
<b>SE Wisconsin Roofing &amp; Waterproofing JAC</b>	<b>58</b>	<b>9</b>	<b>15.5</b>	<b>1</b>	<b>1.7</b>	<b>58</b>	<b>100.0</b>			<b>12</b>	<b>12</b>	<b>100.0</b>		
Roofer and Waterproofer (186638101002)	58	9	15.5	1	1.7	58	100.0			12	12	100.0		

Wisconsin Bureau Of Apprenticeship Standards  
**State Roofers & Waterproofers Adv Comm**  
**Historical Report by Year**



Report Period: 2017\* and Previous 10 Years

*Current year is YTD data as of Run Date: 05/01/2017		
Run Date: 05/01/2017		
State Roofers & Waterproofers Adv Comm		
Sponsored Trade Group(s): Construction		
Year	Active Apprentices	Active Employers
2007	174	35
2008	220	36
2009	204	40
2010	186	46
2011	150	45
2012	126	37
2013	103	29
2014	105	27
2015	118	25
2016	107	21
2017	80	18

