

**Approved Minutes of the
Ironworking
State Apprenticeship Advisory Committee**

April 21, 2017
Madison Labor Temple
Madison, Wisconsin 53715

Members Present	Organization / Employer
Cyganek, Brad (Co-Chair)	Ironworkers Local 8
Davies, Barry	Ironworkers Local 512 (MN)
DeMinter, Tim	Ironworkers Local 383
Hanson, Rich	Ironworkers Local 8
Hooyman, Chad	SPE Little Chute
Mayrhofer, Tony	Ironworkers Local 8
Shultis, Andrew	Ironworkers Local 383
Members Absent	Organization / Employer
Hager, Ben (Co-Chair)	J.H. Findorff
Riley, John	K.F. Sullivan Co.
Consultants and Guests	Organization / Employer
Johnson, Josh	Bureau of Apprenticeship Standards
Morgan, Karen	Bureau of Apprenticeship Standards
Nakoul, Nancy	WTC
Schanke, Debbie	Bureau of Apprenticeship Standards
Smith, Owen	Bureau of Apprenticeship Standards
Stern, Pete	Ironworkers Local 383

1. The meeting was called to order at 10:05 a.m. by Co-Chair Brad Cyganek in accordance with the Wisconsin Open Meeting Law.
2. Attendees signed the attendance record and introduced themselves.
3. The committee reviewed its roster. It noted that Glen Flaherty and John Trottier are no longer members of the committee. The committee suggested contacting Red Cedar for a replacement.

4. **Old Business**

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

i. For action: approve the minutes

The minutes were approved with the following revisions: remove Flaherty and Trottier from "members absent."

ii. Resolving effects of delayed contracts on payroll

Owen reviewed that the state committee had expressed concern that Milwaukee-area contractors on Department of Transportation projects had been legally required to pay journey worker wages to apprentices who quit shortly after being hired because the contractor had not yet received a copy of the apprentice contract. He turned the floor over to Director Karen Morgan.

Karen acknowledged the state committee's concern. She explained that the Bureau will develop an interim administrative procedure to prevent further occurrences. She noted that the potential for these challenges will be removed when the Bureau's electronic registration system is implemented.

Karen asked the Madison local committee has a similar need. Pete Stern confirmed that the committee has an identical need. Karen answered that the Bureau will meet with the committee to implement an interim procedure.

Pete asked what causes the problem. Karen replied that all prevailing wage projects require employer to provide active apprentice contracts for all apprentices. Collective bargaining is not a factor. Employers call the joint committee to request an apprentice. Joint committees may allow the apprentice to provide a two-week notice to the current employer. The Bureau learned that employers were requesting next-day availability from the Milwaukee committee.

Karen concluded by assuring the state committee that it will meet soon with the local committees to develop an interim procedure.

iii. Accepting ACT scores

Owen reviewed that the state committee had implemented the minimum ACT scores for applicants, which were aligned with the minimum Accuplacer scores. He asked the state committee for feedback on how the new procedures have been working. The state committee replied that it is too soon to see any significant impact.

iv. Related instruction at Western Technical College

Owen reviewed that the state committee had requested the Bureau's assistance in expanding the related instruction, except welding, to Western Technical College. He shared that he learned the college is preparing to offer it. He asked the committee for an update and whether it still requested

assistance. with the exception of welding. He expressed its objective to have related instruction. Pete replied that the matter is proceeding well; the local committee and the college will formalize an arrangement over the summer. No assistance is needed.

v.Related instruction at Madison Area Technical College

Pete reported that he was informed by the Madison College that the college would not continue to provide off-site instructors to the local committee's new training facility for liability reasons, unless the college was given formal oversight over the training facility. Nancy Nakkoul asked how the college defined "oversight." Pete said he was told only that it was a legal requirement.

Karen commented that she had not heard about this matter. As Pete described it, it sounds outside of the norm because many technical colleges commonly provide off-site instructors via contract. She suggested that perhaps the college is referring to a facilities contract. Many colleges and trades often agree to a facilities contract that outlines the responsibilities of the college and the trust in order to protect all parties.

Action: *Karen and Nancy agreed to research the matter further.*

vi.Related instruction at Mid-State Technical College

Karen asked how the Local 383's new training center will affect apprentices' enrollment at other technical colleges. Pete replied that the local wants apprentices to attend related instruction at the most logistically feasible location. Currently, it works best for apprentices enrolled at Mid-State to continue receiving their instruction at the college. As the training center increases its abilities and capacities in the future, more apprentices will be required to take their related instruction there.

b. Revisions to CFR 29.30

Karen announced that the CFR 29.30 has been revised and released. She reviewed the key points and emphasized that more technical assistance is forthcoming from the Department of Labor.

Key points included:

- The regulations had not been updated in 40 years.
- The regulations were updated because they were 40 years old; the updates will help employers attract a larger and more diverse pool of applicants; the revisions clarify and streamline the regulations to make it easier for sponsors to comply; and the changes will bring policies in line with current civil rights statutes and case law.
- The changes include extended protections against discrimination; improve and clarify affirmative steps to ensure equal opportunity in apprenticeship; better defined the process for analyzing workforce and setting goals; include new affirmative steps for employing people with disabilities in apprenticeship; and clarify outreach, recruitment, and retention activities.
- The impacts on Wisconsin will be that sponsors will need to update their non-discrimination pledges and the Bureau will update the apprentice application with EEOC supplemental information.
- All sponsors will have to assign responsibility to an individual to oversee EEO activities; distribute EEO policy and conduct orientation and informational sessions; and conduct outreach and recruitment activities.
- Anti-harassment obligations for all sponsors include providing anti-harassment training to all employees directly involved with training, supervising, or mentoring apprentices; making all facilities and apprenticeship activities available to all; and establish and implementing procedures for handling and resolving complaints.

- Sponsors with five or more apprentices must have an affirmative action plan, must have utilization goals; and must engage in targeted outreach, recruitment, and retention activities.
- Sponsors are allowed to use any method of entry as long as it is not discriminatory.
- Sponsors must offer persons with disabilities three opportunities to self-identify: upon applying; after the applicant has been accepted but before the apprenticeship begins; and one time thereafter.
- The revisions provide the Bureau with more options for remediating sponsors that are out of compliance.
- Last, the timeline for implementation is as follows: during the summer of 2017, the Bureau will draft the new rule and hold a public hearing; during the fall of 2017, the formal rule making process will begin; and during the winter of the next year, 2018, the Bureau will submit its plan to the U.S. Department of Labor.

Karen emphasized that the Bureau is going to take its time implementing the rule to prevent adverse consequences.

Attendees did not have questions or comments.

c. Federal grants to expand registered apprenticeship

Karen explained that the Bureau received three federal grants to expand registered apprenticeship. Each grant targets different industries and infrastructures.

The first grant is WAGE\$. It is a five-year, \$5 million grant to expand registered apprenticeship into advanced manufacturing, health care, and information technology. Its target is 1,000 new apprentices. The grant has successfully developed a new apprenticeship in advanced manufacturing, Mechatronics. Many information technology employers claim they can no longer wait four years to hire college graduates; they need shorter-term training solutions. WAGE\$ will also help integrate registered apprenticeship into the workforce development boards so the boards can outreach to more industries and employers.

The second grant is a 18-month, \$1.5 million state expansion grant, which may be extended for an additional \$1.5 million and 18 months. The grant goals are to expand registered apprenticeship in biotechnology and financial services industries and to increase recruitment and retainment of women and minority apprentices in construction trades. The grant's overall target is 427 new apprentices. Karen explained further that the Bureau has youth apprenticeship programs in financial services and biotech, so developing registered apprenticeship in those areas would have added value. The construction efforts will focus on large projects in Madison and Milwaukee, areas with the most projected job growth. The Bureau has begun meeting with employer alliances, building trades, training organizations, and workforce development boards in those cities to determine strategies for recruiting more underrepresented populations. The partners will do the recruitment; the Bureau will help place the applicants so it can identify barriers to hiring and retaining them and fund solutions. Last, the expansion grant will fund two new apprenticeship training representatives (ATRs)

The third grant is a state accelerator grant. Its focus is strengthening the infrastructure within the Bureau. It will support additional apprenticeship training representatives (ATRs), further training of incumbent ATRs, and upgrades to the Bureau's information management system. These objectives will increase the Bureau's capacity to conduct more outreach.

Karen concluded by sharing that the Governor's proposed budget includes funding to enhance apprenticeship.

d. Apprenticeship Completion Award Program

Owen reviewed that the program concludes on June 30. It is included in the Governor's proposed budget, so it may be renewed for two more years.

The committee asked whether the program reimburses tablets for apprentices. Owen replied that the program reimburses tuition, books, and required supplies. If the tablets are required for the class, then they qualify as a reimbursable expense for eligible apprentices. If the tablets are not clearly required, they are not reimbursable.

A consultant complained that the \$250 reimbursement for apprentices that complete their first year is insufficient. Karen explained that the intent of the program is to award apprentices that complete their entire apprenticeship so apprentices don't get the reimbursement early and then quit. The Bureau championed adding the \$250 reimbursement for first-year apprentices because their wages are the lowest at that time.

e. Other

A consultant asked whether the Bureau had approved its curriculum yet. Karen replied that she has not reviewed it yet.

A committee member asked whether a local committee could offer Transition to Trainer at its training center. Karen answered, yes, many trades offer the course independently of the technical colleges, but the instructors must meet the Bureau's requirements. The Bureau has the facilitator's guide and student material. The local could then submit the class roster to the Bureau so it can process the apprentices' completions. A committee member asked when the Bureau will hold the necessary train-the-trainer class for the instructors. Karen replied that one was scheduled for December 2016, but the instructor cancelled. The Bureau will try to hold one this summer. Rich Hanson offered to host the training at the Milwaukee facility.

Action: Karen replied that she will contact Rich to discuss hosting the train-the-trainer session.

5. New Business

a. BAS personnel update

Karen Morgan introduced Joshua Johnson, former ATR for Waukesha and new Chief of Field Operations. Josh summarized that the Bureau hired four new ATRs: Richard Badger in Waukesha; Dominic Robinson for Racine; Lynn O' Shasky for Lakeshore; and Tim Budda for Appleton South, a totally new administrative area created due to its increase in sponsors. Sandy Destree, former ATR for Lakeshore, was promoted to a new position, Field Operations Supervisor.

b. Become an Apprenticeship LEADER

Karen explained that the campaign asks stakeholders to help the Bureau expand registered apprenticeship to new industries, as well as new groups of employers in industries that currently sponsor apprentices. Applicants choose their opportunities, which range from allowing the Bureau to use a company logo on outreach material to joining the Bureau at industry roundtable discussions. The application is available via the Bureau website.

c. Other

i. Request to modify apprentice-to-journey worker ratio for Minnesota sponsor

Karen explained that she received a request from a Minnesota local union to modify the apprentice-to-journeyworker ratio for specialty ironworkers, in certain cases. For example, the conditions include small employers and crews that don't need four or five employees on staff or a jobsite; if the ratio was lowered, the employer could add an apprentice. Karen stated she wants the committee feedback before approving or denying the request.

Karen elaborated. The ratio would be for smaller employers and would be less than what is used in Wisconsin, which is three apprentices to one journeyworker. The ratio would apply to the jobsite, similar to how prevailing wage laws and jobs that fall under the federal Davis-Bacon Act, such as highways.

Barry replied that ratios are part of the collective bargaining agreements and the apprenticeship standards in Minnesota. Karen replied that in Wisconsin the apprenticeship standards dictate when they conflict with a collective bargaining agreement, except in certain legal matters. In short, the Wisconsin standards would override the Minnesota collective bargaining agreement for work in Wisconsin.

Karen again asked the committee whether it would be okay with her approving the request of the Minnesota local. The committee supported her approval.

ii. Attending local committee meetings via Skype

A local committee representative asked whether an out-of-state business agent could participate in remotely in a joint apprenticeship committee meeting via Skype. Karen replied that the local committee meetings are subject to Wisconsin Open Meeting law. She asked whether the local is registered Michigan apprentices in Wisconsin. The local committee member replied yes.

Action: *Karen will research with the DWD legal team whether participating remotely would violate personnel actions during a closed session.*

6. WTCS Update

Nancy Nakkoul highlighted the *2014-15 Wisconsin Technical College Apprenticeship Completers Report*. The report summarizes the survey results of all apprentice graduates that received related instruction at a Wisconsin technical college. The report is available online, too.

The median earnings of apprentice graduates are up \$1200 across all sectors. The large majority of respondents reported they were highly satisfied with their related instruction.

Nancy shared that when a statewide curriculum model exists for a trade's related instruction, technical colleges can use it to credit competencies towards related instruction and associates degrees. The WTCS has funding to document the ironworker related instruction curriculum, if the state committee requests it. Proprietary curriculum has been documented, such as the electrician's related instruction, but it is not made available to the public.

The committee did not express interest in developing the statewide model.

A committee member asked how credit is assessed for a course. Nancy replied that credit calculated in quarter increments per nine hours. Therefore, nine hours equals one-quarter credit; 36 hours equals one credit.

A consultant asked whether trainers no longer employed by the WTCS still need to take continuing education courses. Karen replied that all apprenticeship instructors need to meet the requirements, whether employed by the WTCS or not. WTCS has certain requirements, as does the Bureau.

7. Review the program participants.

Participants included 315 apprentices and 51 employers with a contract in active or unassigned status on April 14, 2017. Seven percent of apprentices are minorities; three and half percent are female. Barry reported that the Minnesota local includes 58 apprentices, five of whom are minorities. Rich noted that the Bureau's report does not include Local 8's apprentices from the Michigan Upper Peninsula.

8. The committee tentatively scheduled its next meeting for Friday, October 20, at 10:00 a.m., at the Madison training center.
9. The committee adjourned at 12:22 p.m.

10. Follow-up Items

- i. BAS will contact Madison College.*
- ii. BAS will contact the Milwaukee JAC to discuss hosting a train-the-trainer.*
- iii. BAS will research whether personnel can attend local committee meetings remotely.*

*Submitted by Owen Smith,
Bureau of Apprenticeship Standards*

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

April 14, 2017

TO: State Iron Worker Apprenticeship Advisory Committee Members & Consultants

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

SUBJECT: **State Iron Worker Apprenticeship Advisory Committee Meeting**

DATE: Friday, April 21, 2017

TIME: 10:00 AM

PLACE: Madison Labor Temple
1602 South Park Street, **Room 201-A**
Madison WI


TENTATIVE AGENDA

1. Call the meeting to order.
2. Distribute the sign-in sheet. Introduce attendees.
3. Review the roster.
4. **Old Business**
 - a. Review the follow-up items from the previous meeting:
 - i. **Action:** approve the minutes.
 - ii. Resolving effects of delayed contracts on payroll
 - iii. Accepting ACT scores
 - iii. Paid related instruction at Western Technical College
 - iv. Paid related instruction at Madison College
 - b. Revisions to CFR 29.30.
 - c. American Apprenticeship Grant (WAGE\$)
 - d. Apprenticeship Completion Award Program
 - e. Other
5. **New Business**
 - a. BAS personnel update
 - b. Become an [Apprenticeship LEADER](#)
 - c. Other

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



<i>Apprenticeship-Equal Opportunity</i>	
Why now?	Age of current regulations
Regulations	Key Changes
Timeline	Wisconsin
Next Steps	Implementation

Regulations	Why Update?
<ul style="list-style-type: none"> 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	Key Changes.
<ul style="list-style-type: none"> 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
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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.



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

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

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 so 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

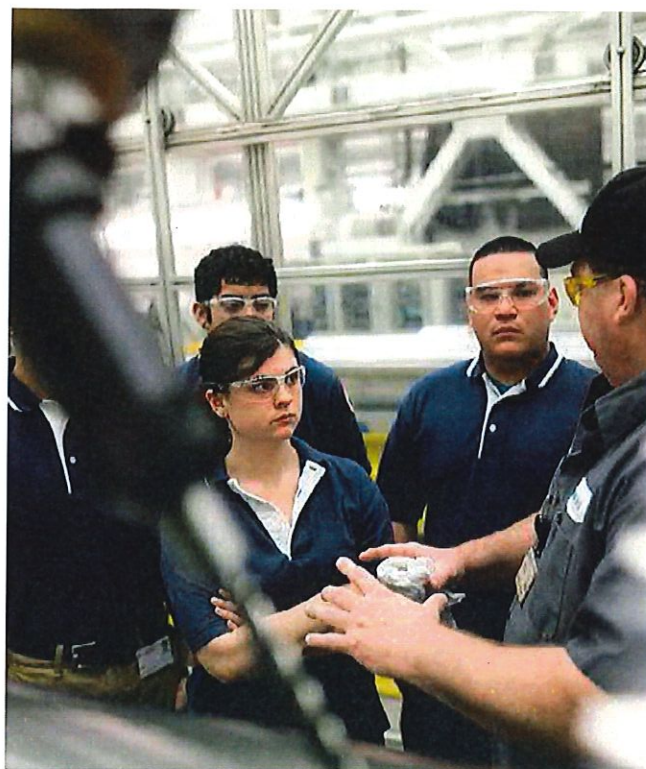
- The previous rule set forth four detailed mechanisms by which sponsors may select apprentices into their programs.
- The final rule provides much greater flexibility for selection, providing that sponsors may use any method to select apprentices so long as that method complies with long-established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

- **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 Ironworking Advisory Committee

This summary counts employers and apprentices with contract(s) active or unassigned on 4/14/2017 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
All Sponsors Total	315	22	7.0	11	3.5	315	100.0			51	51	100.0		
Madison Area Ironworking JAC	117	7	6.0	5	4.3	117	100.0			27	27	100.0		
Iron Worker (180138101401)	117	7	6.0	5	4.3	117	100.0			27	27	100.0		
Milwaukee Area Ironworking JAC	198	17	8.6	7	3.5	198	100.0			38	38	100.0		
Iron Worker (180138101401)	198	17	8.6	7	3.5	198	100.0			38	38	100.0		

Wisconsin Bureau Of Apprenticeship Standards
State Ironworking Advisory Committee
Historical Report by Year
Report Period: 2017* and Previous 10 Years



*Current year is YTD data as of Run Date: 04/14/2017		
Run Date: 04/14/2017		
State Ironworking Advisory Committee		
Sponsored Trade Group(s): Construction		
Year	Active Apprentices	Active Employers
2007	335	79
2008	297	72
2009	194	58
2010	143	48
2011	129	44
2012	140	44
2013	140	41
2014	222	51
2015	296	52
2016	357	54
2017	328	51

