

State Construction Craft Laborer Apprenticeship Advisory Committee

Approved Minutes

April 28, 2017
Laborers Training Center
De Forest, Wisconsin

Members Present	Organization/Employer
Burke, Dan	Laborers Local 464
Jensen, Clark	Laborers Local 140
Marcelle, Tony	Laborers' Local 330
Miller, Kent	WI Laborers District Council
Neira, Anthony	Laborers Local 113
Peterson, Timothy	James Peterson Sons, Inc.
Pratt, Dawn (Co-Chair)	Payne and Dolan
Schmitt, John (Co-Chair)	WI Laborers' District Council
Topp, John	ACEA
Zignego, Dan	Zignego Company (ABC)
Members Absent	Organization/Employer
Bohne, Hunter	Stevens Construction (ABC)
Dehnhoff, Jeff	Laborers Local 268
Grohmann, Gert	AGC of Greater Milwaukee
Hoernke, Damien	McCabe Construction, Inc.
Luedtke, Murray	Michels Corporation
Ziegler, Craig	WI Laborers Apprenticeship & Training
Consultants & Guests	Organization/Employer
Badger, Tim	Bureau of Apprenticeship Standards
Emrick, Leigh	Associated Builders & Contractors
Jallah, Tracy	Bureau of Apprenticeship Standards
Morgan, Karen	Bureau of Apprenticeship Standards
Smith, Owen	Bureau of Apprenticeship Standards
Wiatt, Ray	WI Laborers Apprenticeship & Training

1. The meeting was called to order at 9:35 a.m. by Dawn Pratt, Committee Co-Chair, in conformance with the Wisconsin open meeting laws.
2. A roll call was conducted. A quorum was present. A sign-in sheet was circulated.
3. The committee reviewed the current roster for vacancies, terms that will soon expire, and the accuracy of members' contact information. No updates.

4. **Old Business**

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

i. For action: approve the minutes

The minutes were approved as written

ii. For action: revising the apprentice-to-journey worker ratio

Owen reviewed that the committee had requested this discussion because some members thought the initial ratio could be lessened to make the program accessible to small contractors. Karen shared that many parties have expressed hesitancy with the ratio lately. She suggested that the committee consider relaxing the ratio this season, with a sunset clause, and then reviewing the ratio again next year. The committee asked whether apprentices under the first ratio would be grandfathered in under any subsequent ratio. Karen confirmed that the apprentices would be grandfathered. She added that employers could not add more apprentices until they could meet the new ratio.

A general discussion ensued about the initial ratio and subsequent ratios. The committee clarified that it wanted to change the initial ratio to 1:1.

Action: *the committee approved a motion to change the initial ratio from 1:2 to 1:1, effective June 1, 2017.*

iii. How are the revision to applicant testing procedures proceeding?

Owen asked the committee for feedback on the implementation of the new applicant testing procedures approved last fall. Ray and Kelly Tourdot replied that a few applicants have submitted ACT scores and no applicants have scored beneath the required minimums on the ACT or Accuplacer.

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 summarized that the Bureau received three federal grants. The main purpose of each is to expand registered apprenticeship in Wisconsin. The WAGE\$ grant, an American Apprenticeship Grant, is a three-year, \$5 million grant to expand registered apprenticeship in advanced manufacturing, information technology, and health care. It will also promote youth apprenticeship and pre-apprenticeship programs to increase the number of qualified applicants for registered apprenticeship.

Karen briefly noted that interest in the German apprenticeship model in Wisconsin had influenced efforts to bridge youth apprenticeship and registered apprenticeship. A key component of the German apprenticeship is "tracking" high school students early into career paths. That would not be supported in American high schools. Instead, the youth apprenticeship program is a better alternative because students can explore the foundations of a career and decide whether to commit to it after school.

"Bridging" youth apprenticeship to registered apprenticeship through the opportunity for credit encourages high school students to consider a career in the skilled trades as equally valid as a college degree. Education stakeholders have determined parents are the most influential factor in a student's choice of post-secondary education. Karen cautioned that if construction trades don't participate in youth apprenticeship, the students will choose other trades, such as manufacturing.

Karen concluded that WAGE\$ has completed the development of one new apprenticeship program in advanced manufacturing and is close to completing the first apprenticeship program in information technology, which will likely be implemented in central Wisconsin.

Karen continued that the most pertinent component of the state expansion grant to the construction sector is its emphasis on recruiting and retaining more women and minority apprentices. Through the grant, the Bureau will research the reasons why women and minority applicants and apprentices on major construction projects in southeastern WI are hired, not hired, and cancelled. If the research indicates more skills are needed, the grant will provide upgrade training.

Karen shared that the last grant, the state accelerator grant, will be used to increase the Bureaus' infrastructure, including additional staff, staff training in outreach, and upgrades to its information management system.

No discussion followed, but the committee asked about the purpose of the American Apprenticeship Initiative fact sheet included in the meeting packet. Karen replied that she thought the committee may appreciate it for reference and resources.

d. Apprenticeship Completion Award Program

Owen reminded the committee that the program will expire on June 30, 2017. It is included in the Governor's proposed budget for the next biennium, so it may be renewed for additional two years. Attendees did not have questions or comments.

e. Other

No other items were brought forth.

5. New Business

a. BAS personnel update

Karen summarized several recent personnel changes. Former Chief of Field Operations Kathy Wellington accepted another position in state government; Joshua Johnson, former Apprenticeship Training Representative for Waukesha and former construction craft laborer apprentice, was hired to replace her. The Bureau needed an additional supervisor to assist the ATRs and reduce the span of control on Karen; Sandy Destree, former ATR for Lakeshore, was promoted into the position.

The Bureau hired several new ATRs, as well. The new ATR for Waukesha is Richard Barker. The new ATR for Lakeshore is Lynn O'Shasky. Tim Ziffer, former ATR for Racine, accepted a new position; he was replaced by Dominic Robinson. Last, the Bureau created a new administrative area, Appleton South, due to the increase in sponsors; the new ATR for the area is Tim Budda.

Karen concluded by mentioning that the Governor's proposed budget includes two additional, undesignated positions for the Bureau.

b. Become an Apprentice LEADER

Karen explained that the LEADERS initiative will complement the grants' focus on expanding registered apprenticeship. Prior expansion efforts taught the Bureau an important lesson: no one represents the value of registered apprenticeship better than the employers that use it everyday. So, the Bureau borrowed the borrowed the national outreach program and made a Wisconsin version.

She encouraged all stakeholders to sign up. Participants can choose their activities, from allowing the Bureau to use the company logo to co-presenting with the Bureau at industry discussions. The application is on the Bureau homepage. Attendees did not have questions or comments.

c. Other

Attendees did not have additional topics.

6. Review program participants.

Program participants include 287 apprentices and 121 employers with a contract in active or unassigned status on April 25, 2017.

Minorities represent 16% of the apprentices; females represent nearly six percent. Karen noted that those percentages meet the outreach goals and are higher than the other state construction committees.

Ray reported that the joint apprenticeship committees have 305 apprentices: Fox Valley has 40 apprentices and one unassigned; the Northwest has 45 apprentices; the Southeast has 118 apprentices and one unassigned; South Central has 62 apprentices and three unassigned; and the Southwest has 40 apprentices and one unassigned. Year to date, twenty-three apprentices have cancelled and 19 have graduated.

Ray reported testing statistics: 385 applicants have tested; 286 (74%) passed; 205 (53%) were minorities; and 33% (9%) were female.

A committee member asked whether females are included in the minority percentage, too? Karen answered that the Bureau data counts a female minority towards the female total and minority total. Ray answered that his statistics do not.

Ray projected that more than 70 apprentices will graduate this year, which will exceed last year's total. He noted that the apprentice total is high this year because many non-highway contractors are hiring.

7. The committee tentatively scheduled its next meeting for Wednesday, September 27, at 1:00 p.m. at the Big Bend Training Center.

8. The meeting adjourned at 11:25 a.m.

9. Follow-up Items

BAS will revise the ratio in the state standards.

Submitted by Owen Smith, Program & Policy Analyst

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

REVISED
June 1, 2016

Karen P Morgan

Bureau Director

Don Grant

Co-chair

John Hunt

Co-chair

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

STATE OF WISCONSIN
COODWD
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



<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

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Department of Workforce Development

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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

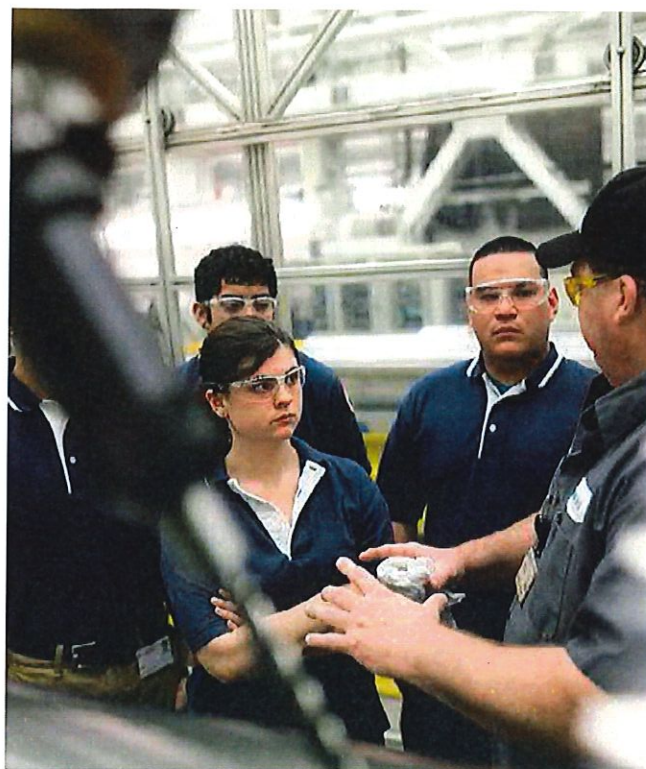
- The previous rule set forth four detailed mechanisms by which sponsors may select apprentices into their programs.
- The final rule provides much greater flexibility for selection, providing that sponsors may use any method to select apprentices so long as that method complies with long-established 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 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 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	287	48	16.7	17	5.9	269	93.7	18	6.3	121	116	95.9	5	4.1
ABC of Wisconsin (All)	18	2	11.1	2	11.1			18	100.0	5			5	100.0
Construction Craft Laborer (186946358001)	18	2	11.1	2	11.1			18	100.0	5			5	100.0
Fox Valley Area Laborers JAC	29	2	6.9	2	6.9	29	100.0			16	16	100.0		
Construction Craft Laborer (186946358001)	29	2	6.9	2	6.9	29	100.0			16	16	100.0		
Northwest WI Constr Craft Laborers JAC	40	3	7.5	0	0.0	40	100.0			20	20	100.0		
Construction Craft Laborer (186946358001)	40	3	7.5	0	0.0	40	100.0			20	20	100.0		
SE WI Construction Craft Laborers JAC	109	33	30.3	9	8.3	109	100.0			50	50	100.0		
Construction Craft Laborer (186946358001)	109	33	30.3	9	8.3	109	100.0			50	50	100.0		
South Central Constr Craft Laborers JAC	56	9	16.1	4	7.1	56	100.0			28	28	100.0		
Construction Craft Laborer (186946358001)	56	9	16.1	4	7.1	56	100.0			28	28	100.0		
SW WI Area Const Craft Laborers JAC	35	2	5.7	1	2.9	35	100.0			16	16	100.0		
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

