

Approved Minutes of the  
**Sheet Metal**  
**State Apprenticeship Advisory Committee**

April 27, 2017

Sheet Metal Workers Local 18  
Waukesha, WI

Members Present	Employer / Organization
Aldag, Dave (Co-Chair)	Aldag Honold
Billman, Brian	Sheet Metal Local 18
Groeschel, Jr., Ken	Butters-Fetting Co., Inc.
Katt, Dave	Keystone Heating & Air Conditioning
Kemper, Keith	Sheet Metal Local 18 KRW
Landgraf, Patrick (Co-Chair)	Local 18
Mooney, Mike	Sheet Metal Local 18
Phillips, Earl	Sheet Metal Local 18
Stockland, Pat	Capitol Mechanical, Inc.
Wagner, Craig	Sheet Metal Local 18
Members Absent	Employer / Organization
Bartz, Scott	Sheet Metal Local 18 Madison
Everhart, Rich	General Heating
Hill, Mark	Tweet-Garot Mechanical Inc.
Malesevich, Tom	Sure Fire
Rollings, Lauri	SMACCA Milwaukee
Wippich, Daniel	Sheet Metal Local 18 Fox Valley
Consultants & Guests	Employer / Organization
Athas, Don	Milwaukee Area Sheet Metal JATC
Bernthal, Jamie	Bureau of Apprenticeship Standards
Emrick, Leigh	Associated Builders & Contractors
Frehner, Josh	Milwaukee Area Sheet Metal JATC
Morgan, Karen	Bureau of Apprenticeship Standards

Smith, Owen	Bureau of Apprenticeship Standards
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1. The meeting was called to order at 09:34 a.m. by Pat Landgraf in conformance with the Wisconsin open meeting laws.
2. A roll call was conducted and a sign-in sheet was circulated.
3. The committee reviewed the current roster. No updates were necessary.

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

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

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

The committee approved the draft minutes as written.

##### **ii. For action: approve the crosswalk with the youth apprenticeship program**

Owen explained that the purpose of comparing the competencies between the programs is to ensure as seamless a transition as possible for youth apprenticeship graduates into a related registered apprenticeship through credit for on-the-job learning. He emphasized that credit is always at the discretion of the sponsor.

Jamie Bernthal noted that youth apprentices are not permitted to perform installations independently and must be supervised at all times. He also noted that it is optional for youth apprentices to perform welding and soldering. The program also includes blueprint readings and drawings.

He summarized that the state committee focus group suggested that the youth apprentice would fit best in a shop setting, not a jobsite, and would always be assisting other skilled workers rather than working independently. Therefore, the focus group recommends overall that a graduate of a two-year youth apprenticeship program would be ready to enter into the registered apprenticeship program. The focus group did not recommend that sponsors credit the on-the-job learning, but did recommend that the document state clearly that credit is at the discretion of the local committees.

Jamie advised attendees that, if approved, the crosswalk would be implemented with youth apprenticeship coordinators, which means they would disseminate it to students and employers and begin recruiting students. He opened the floor to the committee for feedback.

The committee expressed concern that it had not seen the crosswalk since the initial conference call, so the members may want to discuss the content further. The committee expressed additional concern that even shop work may be hazardous for youth apprentices and hiring youth apprentices may increase the cost to the employer.

Karen Morgan reiterated the history of the committee's discussions on this topic. The conversation began three years ago when an employer association and other partners persuaded the Department of Workforce Development to create a youth apprenticeship program for construction. The Bureau had always advised that youth and registered apprenticeship were separate entities, but the shortage

of skilled workers had influences many employers to want to introduce high school students to the skilled trades. So, the DWD funded the development of the program.

Karen emphasized that the sheet metal industry developed that youth apprenticeship competencies to ensure they could be performed legally. The competencies include basic skills that any construction worker would learn, such as safety and blueprint reading, and also include skills specific to a focus area, such as sheet metal or carpentry or others. So, industry influenced the development of the program and designed it to be a broad introduction to the construction industry and a specific focus area that will help students build foundational skills and choose which industry to pursue. She concluded that the program in no way competes with registered apprenticeship.

Karen continued that many industries are developing crosswalks to attract students to their occupations. The Bureau encourages the industries to consider recommending credit for youth apprenticeship graduates to encourage the graduates that registered apprenticeship is as equally valid a career path as college. The Bureau hopes industries see the value of this opportunity within a student's education and would hate to see an industry miss this opportunity.

Karen concluded that the bottom line is that it the trade needs to recruit more qualified applicants.

Many members agreed that the crosswalk is more acceptable than the original draft and supported exposing high school students to the trade. Several members expressed concern that youth apprentices be prohibited from working on pitched roofs, pitched heights, power plants, lifts, and ladders. Karen replied that not all job sites or duties will be appropriate, but many others will be.

A committee member asked whether the youth apprentice would work on the job during school hours. Karen explained the basic structure and requirements of the youth apprenticeship. She commented that most students work during the summer and work occasional hours during the school year. She noted that the program includes flexibility for the employers because, as the state committee noted, employers' work schedules vary.

Several committee members and consultants expressed concern that the youth apprenticeship competencies are too specific and "ambitious." They recommended that several competencies could be broadened. The committee advised that all youth apprenticeship competencies begin with the word "assist" to ensure there are no expectations that the youth apprentices would perform the competencies independently.

Karen suggested that the focus group revise the crosswalk further over the summer and bring it back to the fall meeting. Jamie stated he would note that working at heights, lifts, and roofs are not permitted. He added that those tasks are known throughout youth apprenticeship to be prohibited by child labor laws. Jamie stated he would also remove a lot of the explanations so that employers do not mistakenly think everything written is expected.

The committee added to note that youth apprentices must never work with power shears, press breaks, rollers, or soldering, or work near coils.

**Action:** *the committee approved the crosswalk with the descriptions removed, the word "assist" added before each competency, the above prohibited tasks noted, and the sponsor's discretion for credit noted.*

iii. Update on accepting ACT scores

Owen asked the state committee for feedback on how accepting ACT scores from applicants is progressing. Attendees reported that only a handful of applicants have submitted them so far. That number may increase in the near future.

The committee stated that the minutes incorrectly state the minimum ACT score in reading.

**Action:** *the Bureau will double-check the official record for the correct ACT scores.*

iv. Update on the new training centers

The committee reported that the centers are progressing well and are currently being upgraded with new equipment. A new training coordinator will start May 1. The item is no longer needed on the agenda.

The committee asked what role the Bureau has in approving a new center. Karen replied that the Bureau must confirm that new centers meet the basic requirements. She explained that the Bureau hasn't had a major issue yet, but the requirements do exist. If a center doesn't meet them, the center cannot train apprentices.

**b. Revisions to CFR 29.30 (AA/EEO requirements)**

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. The first grant is WAGES. 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.

The second grant is a 18-month, \$1.5 million state expansion grant to expand registered apprenticeship in biotechnology and financial services industries. The grant's second objective is to increase recruitment and retainment of women and minority apprentices in construction trades. The grant's overall target is 427 new apprentices.

Recruitment and retainment efforts for construction will focus on the Madison and Milwaukee metropolitan areas, which are projected to have the greatest growth in construction job opportunities. Employers in these areas have long cited a lack of qualified applicants. The Bureau and the workforce development boards in the areas will work with general contractors on large projects to learn why applicants were not accepted or placed. If the reason is due to a lack of skill, the grant will fund necessary training.

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.

Attendees did not have questions or comment.

#### **d. Apprenticeship Completion Award Program**

Owen reported that the program will conclude on June 30, 2017. 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 sponsors. Karen replied that apprentices and sponsors are eligible and the reimbursements are first-come-first-serve.

#### **e. Other**

No other items were brought forward.

## **5. New Business**

### **a. BAS personnel update**

Karen summarized recent changes in staffing. Kathy Wellington, former Chief of Field Operations, accepted a new position within state government. The new Chief of Field Operations is Joshua Johnson, former ATR for Waukesha. The new ATR for Waukesha is Richard Badger. The Bureau created a new supervisor position: Field Operations Supervisor. It was accepted by Sandy Destree, former ATR for Lakeshore. The new ATR for Lakeshore is Lynn O'Shasky. The new ATR for Racine is Dominic Robinson. The Bureau created a new administrative area, Appleton South, and the ATR for the position is Tim Budda. Last, the governor's proposed budget includes two new positions for the Bureau.

### **b. Be an Apprenticeship LEADER**

Karen explained that the LEADERS initiative will help the Bureau expand registered apprenticeship throughout the state through peer-to-peer outreach. The initiative asks apprenticeship stakeholders to help the Bureau share the value of registered apprenticeship to new industries and new groups of employers within industries that use apprenticeship. All stakeholders are encouraged to apply, from sponsors to technical colleges to employer associations. The application is available on the Bureau homepage. Stakeholders can choose their activities. Options include allowing the Bureau to use the stakeholder's logo on outreach material or co-presenting with the Bureau at industry round-table discussions.

### **e. Other**

A member asked what employers can do for applicants that cannot pass the Accuplacer or ACT? Can the local committee grant a waiver? Karen suggested that the employ partner with the local committee and technical college to provide remediation services. answered that technical colleges have tutoring and remediation services. A waiver would have to be included in the approved local standards. Karen noted that if an applicant is unable to pass the assessment, the applicant is likely to not succeed in related instruction, especially because the trade requires stringent math calculations.

## **6. WTCS Update**

Owen noted the written summary from the Wisconsin Technical College System Office.

7. Program participants include 585 apprentices and 140 employers with a contract in active or unassigned status on April 25, 2017.
8. The next meeting is tentatively scheduled for Thursday, October 19, at 9:30 a.m., at Local 18.
9. The meeting was adjourned at 11:40 a.m.

### **Follow-up Items**

- i. *The Bureau will revise the crosswalk.*
- ii. *The Bureau will research the correct ACT scores.*

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*Submitted by Owen Smith,  
Bureau of Apprenticeship Standards*

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

April 25, 2017

TO: State Sheet Metal Apprenticeship Advisory Committee Members & Consultants

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

**SUBJECT: State Sheet Metal Apprenticeship Advisory Committee meeting**

DATE: Thursday, April 27, 2017

TIME: 09:30 AM

Place: Sheet Metal Workers Local 18  
2201 Springdale Rd  
Waukesha, WI

#### **TENTATIVE AGENDA**


1. Call to the meeting to order.
2. Distribute the sign-in sheet. Introduce attendees.
3. Review the roster.
4. **Old Business**
  - a. Review follow-up items from the previous meeting:
    - i. **For action:** approve the minutes
    - ii. **For action:** approve the crosswalk with the youth apprenticeship program
    - iii. Update on accepting ACT scores
    - iv. Update on the new training centers
  - b. Revisions to CFR 29.30 (AA/EEO requirements)
  - c. WAGE\$ and additional federal grants
  - d. Apprenticeship Completion Award Program
  - e. Other
5. **New Business**
  - a. BAS personnel update
  - b. Be 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"> <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	Key Changes.
<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

Bureau of Apprenticeship Standards  
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.*

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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 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

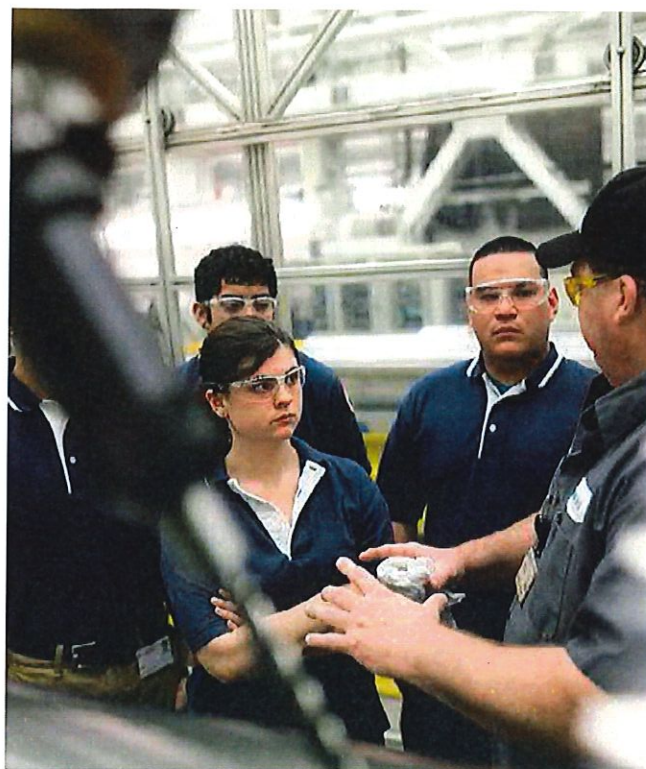
- The previous rule set forth four detailed mechanisms by which sponsors may select apprentices into their programs.
- The final rule provides much greater flexibility for selection, providing that sponsors may use any method to select apprentices so long as that method complies with long-established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

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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 Sheet Metal Committee**

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	585	27	4.6	4	0.7	460	78.6	125	21.4	140	98	70.0	42	30.0
ABC of Wisconsin (All)	119	4	3.4	1	0.8			119	100.0	40			40	100.0
Heating, Ventilating and Air Cond. Install/ Service (163726101402)	113	4	3.5	1	0.9			113	100.0	36			36	100.0
Sheet Metal Worker (180428101001)	6	0		0	0.0			6	100.0	5			5	100.0
East Central WI Area Sheet Metal JAC	30	1	3.3	0	0.0	25	83.3	5	16.7	9	7	77.8	2	22.2
Environmental Systems Technician (163726101401)	7	0		0	0.0	6	85.7	1	14.3	5	4	80.0	1	20.0
Sheet Metal Worker (180428101001)	23	1	4.3	0	0.0	19	82.6	4	17.4	7	5	71.4	2	28.6
ELW Area Sheet Metal JAC	60	1	1.7	1	1.7	59	98.3	1	1.7	20	19	95.0	1	5.0
Sheet Metal Worker (180428101001)	60	1	1.7	1	1.7	59	98.3	1	1.7	20	19	95.0	1	5.0
Fox Valley Area Sheet Metal JAC	115	0		0	0.0	115	100.0			18	18	100.0		
Environmental Systems Technician (163726101401)	3	0		0	0.0	3	100.0			3	3	100.0		
Sheet Metal Worker (180428101001)	112	0		0	0.0	112	100.0			16	16	100.0		
Madison Area Sheet Metal JAC	82	3	3.7	0	0.0	82	100.0			11	11	100.0		
Environmental Systems Technician (163726101401)	7	0		0	0.0	7	100.0			2	2	100.0		
Sheet Metal Worker (180428101001)	75	3	4.0	0	0.0	75	100.0			11	11	100.0		
Milwaukee Area Sheet Metal JAC	159	17	10.7	2	1.3	159	100.0			43	43	100.0		
Environmental Systems Technician (163726101401)	33	3	9.1	0	0.0	33	100.0			16	16	100.0		
Environmental Systems Technician (Residential) (163726101404)	1	0		0	0.0	1	100.0			1	1	100.0		
Sheet Metal Worker (180428101001)	116	14	12.1	2	1.7	116	100.0			34	34	100.0		
Sheet Metal Worker (Residential) (180428101005)	9	1	11.1	0	0.0	9	100.0			3	3	100.0		
Southeastern WI Area Sheet Metal JAC	20	2	10.0	0	0.0	20	100.0			7	7	100.0		
Environmental Systems Technician (163726101401)	6	0		0	0.0	6	100.0			3	3	100.0		
Sheet Metal Worker (180428101001)	14	2	14.3	0	0.0	14	100.0			5	5	100.0		

Wisconsin Bureau Of Apprenticeship Standards  
**State Sheet Metal Committee**  
**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 Sheet Metal Committee		
Sponsored Trade Group(s): Construction		
Year	Active Apprentices	Active Employers
2007	602	166
2008	630	165
2009	553	162
2010	533	160
2011	492	151
2012	451	138
2013	455	130
2014	501	128
2015	555	137
2016	632	148
2017	591	142

