

ARWDB Registered Apprenticeship Training Policy

Adoption: (Proposed)

March 22, 2023

Deleted items are marked with a ~~strike through~~ and additions are noted in yellow.

Previous Adoption(s)

December 5, 2017

Purpose: The purpose of this policy is to provide guidance on the provisions for Registered Apprenticeships in WIOA, including the use of WIOA funding to support Registered Apprenticeships, the status of Registered Apprenticeships on the Eligible Training Provider List, information regarding pre-apprenticeship programs, and reporting on Registered Apprenticeship activities. RA policy changes to section 4.4.5 adopted by the State Workforce Development Board (SWDB) on February 16, 2023, are specifically addressed in this ARWDB policy update. The full section is included as an attachment to this document.

References:

- State Workforce Board Approved Policy Manual February 16, 2023, Section 4.4.5
- Training and Employment Guidance Letter (TEGL) 07- 22 – Good Job Characteristics
- [Workforce Innovation and Opportunity Act \(WIOA\) of 2014](#), Pub. L. No. 113 and 128, Sections 129 and 134
- TEGL No. 3-15: https://wdr.doleta.gov/directives/attach/TEGL/TEGL_03-15_Acc.pdf
- TEN 31-16: https://wdr.doleta.gov/directives/attach/TEN/TEN_31-16.pdf
- Federal Register: Subpart F: Work Based Trainings:
<https://www.federalregister.gov/articles/2015/04/16/2015-05530/workforce-innovation-and-opportunity-act-notice-of-proposed-rulemaking#h-124>
- WIOA Department of Labor-Only Final Rule ([81 FR 56072](#), Aug. 19, 2016)
- Workforce Implementation Guidance: WFD Policies and Procedures Guide:
<http://www.georgia.org/competitive-advantages/workforce-division/technical-assistance/>

Definitions:

1. **Registered Apprenticeship (RA) Program** – A work-based training program that meets the federal criteria (29 CFR Part 29, section 5), and has been accepted and approved by the USDOL Office of Apprenticeship.

2. **Registered Apprenticeship Program Sponsor** – Any person, association, committee, or organization operating an apprenticeship program and in whose name the program is (or is to be) registered or approved. Examples of program sponsors include employers, joint apprenticeship training programs, industry intermediaries, and community-based organizations.
3. **Related Technical Instruction (RTI)** – Instruction or classroom style training that complements an RA On-The-Job (OJT) component and helps refine the technical and academic skills that apply to the job. RTI can be provided by a community college, technical school, apprenticeship training school, or by the employer.
4. **Pre-Apprenticeship Program** – A program designed to prepare individuals to enter and succeed in an RA program. WIOA-funded pre-apprenticeship programs must be formally linked to one or more RA programs and have a strong record of enrolling their graduates into an RA program.

Background:

Registered Apprenticeships (RA) are innovative work-based earn-and-learn models that combine on-the-job learning with related technical instruction. The goals of RA are to develop and apply industry standards to training programs, thereby increasing productivity and the quality of workforce; and recruit, train and retain highly skilled employees. Features of RA include its emphasis on partnerships, flexibility, opportunities for long-term wage growth and industry-recognized credentials, which make it an effective tool for the workforce system. The length of training and the skills and competencies required for mastery of an occupation are set by industry. Traditional Registered Apprenticeship programs are time-based and require a specific number of hours of OJT and related instruction. The Atlanta Regional Workforce Development Board will use an Individual Training Account Provider or Incumbent Worker Training Funds to support the classroom portion of an RA program, and OJT funds may be used to support the on-the-job training elements of the RA program.

All RA programs consist of the following five core components:

1. **Business Involvement**- Employers are the foundation of every apprenticeship program. They play an active role in building the program and remain involved every step of the way. Employers frequently work together through apprenticeship councils, industry associations, or other partnerships to share the administrative tasks involved in maintaining apprenticeship programs.
2. **Structured On-the-Job Training *** - Apprenticeships always include an on-the-job training (OJT) component. Apprentices receive hands-on training from an experienced mentor at the job site. OJT focuses on the skills and knowledge an apprentice must learn during the program to be fully proficient on the job. This training is based on national industry standards, customized to the needs of the employer.
3. **Related Instruction *** - One of the unique aspects of apprenticeships is that they combine on-the-job learning with related instruction on the technical and academic competencies that apply to the job. Education partners collaborate with business to develop the curriculum, which often incorporates established national-level skill standards. The related instruction may be provided

by community colleges, technical schools, apprenticeship training schools, or by the business itself. It can be delivered at a school, online, or at the job site.

4. **Rewards for Skill Gains** - Apprentices receive wages when they begin work, and receive pay increases as they meet benchmarks for skill attainment. This helps reward and motivate apprentices as they advance through their training.
5. **Nationally-Recognized Credential** - Every graduate of a Registered Apprenticeship program receives a nationally-recognized credential. This is a portable credential that signifies to employers that apprentices are fully qualified for the job.

*ARWDB has the flexibility to fund either or both of the OJT or RTI component of RAs, depending on the benefits of the project and the available budget.

Eligibility Requirements:

RA program sponsors identify the minimum qualifications to apply into their apprenticeship program. The eligible starting age can be no less than 16 years of age; however, individuals must be 18 to be an apprentice in hazardous occupations (see TEN 31-16 for further details on the Fair Labor Standards Act rules for child labor). Program sponsors may also identify additional minimum qualifications and credentials to apply, such as education or ability to physically perform the essential functions of the occupation. Pre-apprenticeship programs may serve as a gateway to apprenticeship for youth or individuals with barriers to employment.

Registered Apprenticeships on the State Eligible Training Providers List (ETPLs):

Under WIOA, title I, Registered Apprenticeship programs are automatically eligible for placement on the state-approved ETPL and will remain on the list as long as the program is registered or until the program sponsor notifies the State that it no longer wants to be included on the list. RA sponsors are required to pass an extensive application process for approval by the USDOL; therefore, RA programs are not subject to the same local application, performance information requirements, or to a period of initial or continued eligibility as other providers.

Leveraging Registered Apprenticeship as a Work-Based Training Strategy:

The following are ways that WIOA Title I funds can support the components of RA for Adult, Dislocated Workers, and Youth:

1. **Individual Training Accounts (ITAs)** – ITAs can be used to fund the related instruction component of the RA for WIOA eligible apprentices. ITAs can also fund pre-apprenticeship training if the sponsor is on the ETPL.
2. **On-the-Job Training (OJT)** – Employers are eligible to receive a wage reimbursement rate for qualified apprentices of up to ~~75%~~ 50%. ARWDB may enter into an OJT Agreement with an employer for up to one year and may be renewed on an annual basis, dependent upon the employer's previous OJT performance.
3. **Customized Training** – RA program sponsors and apprentices can be supported through customized training agreements.

4. **Incumbent Worker Funds** – Adult or Dislocated Worker incumbent worker training funds may be used to provide training to a cohort of apprentices.
5. **Youth Occupational Skills Training** – In the Title I Youth program, pre-apprenticeships are considered a type of work experience for youth age 16-24. The work experience program element also emphasizes training that aligns with in-demand industry sectors and occupations, which is a key component of RA programs.
6. **Supportive Services** – WIOA funds can support a variety of supportive services for eligible apprentices, including annual dues, registration fees, books, supplies, child care, transportation, tools, and uniforms.

Registered Apprenticeship Funding:

Registered Apprenticeships can be funded through several mechanisms.

- WIOA funds can pay for the cost of related classroom instruction for the apprentice, including tuition, books, supplies, fees, uniforms, tools and other required items. Funding for the training component of Registered Apprenticeship programs shall not exceed the cost per participant listed on the ETPL, or existing ARWDB incumbent worker training or customized training funding limits.
- WIOA programs can support the on-the-job training component of apprenticeship programs. Funding for the OJT component per employer per year will be consistent with existing ARWDB OJT policy. ~~The individual participant cap and training plan limit for RA program participants will be increased to \$24,000 and 12 months.~~
- ARC, through its authorized representative, will issue a Registered Apprenticeship ITA Obligation Voucher to individual providers. Funding for Registered Apprenticeship programs shall not exceed the cost per participant listed on the ETPL **or in the currently approved ARWDB ITA policy.**

Pre-Apprenticeship Programs:

Pre-apprenticeship programs provide instruction and/or training to increase math, literacy, and other vocational and pre-vocational skills needed to gain entry into a Registered Apprenticeship program. Implementing Registered Apprenticeship and pre-apprenticeship models that are aligned with the needs of key industry sectors creates opportunities to advance students, job seekers, and workers along the talent pipeline. A pre-apprenticeship program funded with WIOA funding must have at least one Registered Apprenticeship partner; such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a Registered Apprenticeship program. Once the participant is enrolled in the Registered Apprenticeship program, and if his/her funding has not been exhausted, a portion and/or the balance of funding may be used to cover the costs of the Registered Apprenticeship program's classroom training/related instruction.

Pre-apprenticeship programs do not have the same automatic ETPL status under WIOA as do Registered Apprenticeship programs. The USDOL does not register or regulate pre-apprenticeship programs. Organizations offering pre-apprenticeship training programs that are seeking ETPL status are required to go through the same vetting process and performance reporting requirements as all other training providers.

Commented [LD1]: This is just a recommendation. We can stick with paying \$5,000/\$8000 or move towards paying the full price on the ETPL which in many cases exceeds the ITA limits. Additional guidance will be provided in the updated apprenticeship provider agreement.

Commented [HC2R1]: See recommendation for an increase to \$24,000 for the OJT component (since the allowable time has doubled) for further consideration. We should consider an overall \$ cap as well.

Commented [HC3R1]:

Commented [HC4R1]:

If the pre-apprenticeship training program is on the ETPL, WIOA Title I funds may be used to fund that program for eligible individuals.

Program Exit:

The point of program exit is a key factor in the calculation of performance outcomes. For most training services provided under WIOA, participants complete their training and then exit the WIOA program. Registered Apprenticeships, however, range from one to six years. In many cases, participants will still be participating in their Registered Apprenticeship programs after they exit from WIOA.

The length of RA programs is not a barrier to positive outcomes under the performance measures. However, it does require determining the appropriate exit points from RA programs that adhere to WIOA regulations, provide quality employees for businesses, and ensure increased skill sets for workers. The point of exit should be based on when the participant is successfully moving through the RA program and is no longer receiving services from WIOA, including supportive services. The following three RA milestones are appropriate exit points from WIOA:

- **Wage Increases** – Apprentices receive progressive increases in pay as their skills and knowledge increase; this is a core element of all RAs. A wage increase may be an appropriate point of exit from WIOA, as it means that apprentices have passed a milestone in their training, improved their skills, and increased their earnings, signaling that support through WIOA may no longer be needed.
- **Credential Attainment** – Many RA programs offer interim occupational credentials that can be attained by apprentices during their program. The attainment of a credential is another aspect that could be factored into the determination of an appropriate exit point from WIOA, given that this marks an important milestone in the RA program. Attainment of a credential signals that apprentices have successfully advanced along a career pathway and increased their skills in the field, and potentially moved beyond the point of needing WIOA support.
- **Measurable Skill Gains** – As apprentices’ skills increase, they should be able to document progress towards such an interim occupational credential or the certificate of completion awarded at the successful end of an apprenticeship. Documented progress in an apprenticeship is defined as either:
 - a. Satisfactory or better progress report towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones; or
 - b. Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

Summary

It is the intent of this policy to adapt existing ARWDB programs to Registered Apprenticeships given the Federal and State governments interest in implementing this proven workforce development tool. Under this policy, RAs will comply with all existing ARWDB policies, procedures and practices regarding ITAs, Provider Agreement Terms and Conditions, and work based learning programs, including minimum starting wages and contract requirements, unless specifically modified herein for application to RAs.

This policy amends existing ARWDB policy as follows:

On the Job Training as applied to Registered Apprenticeship

- ~~* Increases the individual program cap to \$24,000 from the current \$12,000.~~
- ~~* Increases the individual training time limit to 12 months from the current 6 months.~~

Individual Training Account (ITA) Limits

- ~~* Allows the current ITA limit of \$5,000 for one year and \$8,000 for two years to be increased to the total cost of training on the ETPL.~~

NOTE: OJT and ITA limits are addressed and adjust in separate ARWDB policies and are incorporated into the RA policy by reference for purposes of consistency.

SWDB APPROVED POLICY UPDATES – FEBRUARY 16, 2023

II. Program Elements

- A. RAPs included on State or local ETPLs must be labeled as an in-demand occupation.
- B. RAPs receiving WIOA-funded services must be associated with full-time, permanent employment beginning at the start of the RAP.
- C. LWDA shall consider and conduct adequate participant suitability when placing apprentices in WIOA funded RAPs to ensure RAPs and associated employment possess characteristics of a Good Job (per TEGL 07- 22), specifically:
 - i. Sustainable and stable living wages;
 - ii. Connection to an accessible, long-term, in-demand career pathway within the region.

III. Participant Documentation

- A. LWDA must include the following additional documents in the participant case file for participants enrolled in a RAP:
 - i. ETA Form 671
 - ii. Applicable Employer Acceptance Agreement (EAA)

Nothing in this policy is intended to conflict with WIOA or other Federal, State, or local laws or regulations. In the case of any conflict, those laws and regulations will prevail.

Section 4.4.5 Parts I, IV, and V address eligibility, performance and removal from the State ETPL which are not under the purview or subject to change by the ARWDB. Section 4.4.5 is included as an attachment to this policy update for reference purposes.

ATTACHMENT – SECTION 4.4.5

4.4.5 REGISTERED APPRENTICESHIP PROGRAMS

I. Program Eligibility All Registered Apprenticeship Programs (RAPs) operating in Georgia and registered through the USDOL Office of Apprenticeship (OA) are automatically eligible to be included on the State ETPL.

- A. RAPs, through the RAP Sponsor, must “opt-in” to be included on the State ETPL as outlined through OWD guidance.
- B. RAPs that have opted in to State ETPL must be included on all local ETPLs.
- C. RAPs seeking to be included on State and local ETPLs are not subject to the initial eligibility requirements stated in Section 4.4.4.
- D. RAPs included on the State ETPL do not have continued eligibility requirements and will remain on the ETPL unless removed for one of the reasons in part V of Section 4.4.5.

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- C. LWDAs shall consider and conduct adequate participant suitability when placing apprentices in WIOA funded RAPs to ensure RAPs and associated employment possess characteristics of a Good Job (per TEGL 07- 22), specifically:
 - i. Sustainable and stable living wages;
 - ii. Connection to an accessible, long-term, in-demand career pathway within the region.

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IV. Program Performance

RAPs included on the State ETPL are not subject to the same information reporting requirements as other non-RAP training providers.

- A. Voluntary reporting of performance information by RAPs on the ETPL is encouraged.

B. Outcomes for WIOA participants in WIOA-funded RAPs must be included in the State’s annual performance report.

V. Program Removal

A. RAPs may be removed from the State ETPL for the following reasons:

- i. Written requests by RAP Sponsor to be removed by ETPL;
- ii. Written requests by USDOL Office of Apprenticeship to remove RAP from ETPL;
- iii. Deregistration (or other loss of good standing) by USDOL Office of Apprenticeship;
- iv. RAP is found to have intentionally supplied inaccurate information;
- v. RAP has substantially violated any provision of WIOA statute or regulations (e.g., civil rights of discrimination violations) 207

B. RAPs removed for reasons iv and v above will be considered terminated for a period of no less than two (2) years.

C. RAPs removed for reasons iv through v above are liable to repay all WIOA funds expended during the period of noncompliance.

D. If instances of substantial violation are reported to OWD, OWD will work in concert with the USDOL Office of Apprenticeship to determine if the RAP is terminated from the ETPL. The opportunity for an appeal and hearing is permitted and follows the ETPL Appeal Procedures.

E. OWD may conduct reviews of RAPs on the ETPL to verify active registration status. OWD may remove of any RAPs that are not currently registered with USDOL Office of Apprenticeship.

*Termination for the purposes of this section is defined separately from Removal, as termination implies waste, misuse, or fraud.