

Proposed Revisions

September 30, 2009



Federal Regulations – 29 CFR Part 29

- Effective 12/29/08
 - Applicable to all State Registration Agencies
 - Recognition confers authority to determine whether an apprenticeship program conforms to the published standards and whether the program is eligible for Federal purposes.
- 

- State Agency must submit proof of compliance within 2 years -12/29/10.
- The Office of Apprenticeship will monitor a State Registration Agency for compliance.
- State Agency must submit all proposed changes in legislation, regulation, policies, operational procedures to Office of Apprenticeship.
- State Agency must review all new program applications for quality and **conformity with federal regulations**, and **performance**.

Federal

- Every apprenticeship program must have at least one apprentice.

New York State

- Every apprenticeship program must have at least one apprentice.

Federal

- Registration Agencies must evaluate the performance of registered apprenticeship programs using
 - quality assurance assessments,
 - Equal Employment Opportunity Compliance Reviews and
 - **completion rates**, as compared to the national average for completion rates.

New York State

- Completion rate means the percentage of apprentices registered to each apprenticeship program who receive their certificate of completion within one year of the projected completion date.

- (i) Each program's completion rates will be compared to the national average for completion rates as determined by the U.S. Department of labor; and
- (ii) Programs with completion rates below the national average will be notified by the Department, and offered such technical assistance as may be required.

Additional Federal Requirements

- In order to obtain and maintain recognition the State Apprenticeship Agency must conform to the requirements of this part:
 - Accord **reciprocal approval** for Federal purposes to apprentices, apprenticeship programs and standards that are registered in other States by the Office of Apprenticeship or a Registration Agency if such reciprocity is requested by the apprenticeship program sponsor.

Three approaches to apprenticeship program completion:

- an apprentice may progress through a registered apprenticeship program using:
 - 1. A **competency-based approach**, involving successful demonstration of acquired skills and knowledge by an apprentice, as verified by the program sponsor, with an on-the-job learning component and related technical instruction;
 - 2. a **traditional, time-based approach** involving completion of at least 2,000 hours of on-the-job learning experience;
 - 3. a **hybrid approach** which requires the apprentice to complete a specified minimum number of on-the-job-learning hours and RI hours to demonstrate competency in the defined subject areas.
- Program sponsors determine the most appropriate approach, subject to approval by the Registration Agency.

Administrative Proposals:

- Clarify and Refine Application Procedures:
 - Group joint and Group Non-Joint sponsors must identify all signatories and provide a copy of union or association membership agreements that govern apprenticeship training;
 - Due diligence procedures – verify compliance with state and federal laws;

- Notification to applicants denied registration shall include grounds for rejection;
- Applicants denied may appeal to Commissioner;
- Procedures for modifications or changes in registered programs;
- Re-application procedures and time limits for programs voluntarily de-registered.

Comments on NYSDOL compliance with new Federal Regulations

- Attention: Comments on Regulations
- Cathy Reardon, Apprenticeship Training Office
NYS Department of Labor
W. Averell Harriman State Office Campus
Building 12, Room 459
Albany, NY 12240

ATCO@labor.state.ny.us