

Update on Apprenticeship Programs

March 21, 2023

Why Care About Apprenticeship Programs?



Apprenticeships are paid experiences that lead to employment.



Provide opportunities for employers to build a qualified workforce.



Combine on-the-job learning with instruction. Allow apprentices to earn paychecks from day one.



A proven solution for recruiting, training and retaining world-class talent in Iowa.

Why Care About Apprenticeship Programs?



Iowa is experiencing a talent gap with an aging workforce of highly-skilled and experienced workers.



Attract new & diverse talent, close worker skills gap, and DOL issues industry credential after completion.

Viabile Options for a Diverse Workforce

Registered apprenticeships are appropriate for all job seekers:

- women
- minorities
- youth
- disabled
- veterans

Difference Between An Apprenticeship and an Internship?

- Internships provide a brief understanding into a student's chosen field, and most are done to expose students to the work culture and expectations.
- An apprenticeship is a regulated, on-the-job training and employment program, that provides real-world exposure to a chosen field.
- It is a way to “earn while you learn”, while gaining the necessary skills to succeed in the profession.

Creation and Standards for Apprenticeships

- The “Fitzgerald Act” (1937) is basis for regulations and standards.
- Administered by Employment Training Administration of U.S. Department of Labor.
- State versus Federal regulation.
- Joint Apprenticeship Training Plans are:
 - tax-advantaged vehicles,
 - classified as “welfare” plans, and
 - employers make deductible contributions to fund them

Close the Gap With Competency Training

New industries offering apprenticeship opportunities include:

- IT
- Financial Services
- Healthcare
- Transportation
- Energy
- Advanced Manufacturing
- Hospitality

Ex's of Recent Iowa Funding for Apprenticeship Programs

In January 2023, Governor Reynolds announced \$15 million in funding for growing Registered Apprenticeship programs in healthcare.

Includes EMTs, RNs, Direct Support Professionals, Behavioral Health & Substance Abuse Specialists and other critical areas.

Health Care Apprenticeships

Applications for grants are accepted at IowaGrants.gov.

Grants are designed to support Registered Apprenticeship programs sponsored by Iowa-based Nursing facilities, Residential Care facilities, Assisted Living facilities, Hospitals, Home Health Agencies, and Public/Private accredited High Schools, Community Colleges and Universities.

Teacher & Paraeducator Registered Apprenticeships (TPRA)

New grant program provides opportunities for current high school students and adult paraeducators to earn credentials while learning and working in the classroom.

IWD and the Iowa Department of Education (DOE) posted a webinar about these initiatives. See [Webinar: Mentoring & TPRA Success - YouTube](#)

Teacher & Paraeducator Registered Apprenticeship (TPRA)



American Rescue Act (ARA Funds) to create model program:

- Current high school students will be able to earn a paraeducator certificate and an associates degree.
- Paraeducators will be able to earn their bachelor's degree.
- Further information is provided at www.earnandlearniowa.gov.

Covered Costs for TPRA



PARAEDUCATOR

- tuition and full salary as a classroom aide
- after coursework completion and graduation, 50% of salary as a paraeducator
- (\$40,500 per participant)

TEACHER PREPARATION

- tuition and 50% of salary while working as a paraeducator and completing coursework
- (\$47,000 per participant)

Iowa Registered Apprenticeship Act-15(B)

- Provides annual funding to support training or ongoing costs within any active Iowa Registered Apprenticeship program.
- Funding based on applicant's proportionate share of the statewide total of qualified registered apprenticeships participating.
- Must be registered with the DOL/OA and the program must provide a minimum of 100 in-person contact hours to qualify.
- Employers interested in building a RA, should go to earnandlearniowa.gov.

Iowa Registered Apprenticeship Development Fund 15(C)

- Up to \$760,000 available in grants to eligible Registered Apprenticeship program sponsors that have:
 - created a program in a high demand occupation
- Program must be registered with the DOL/OA and have:
 - less than 20 registered apprentices
 - 70% of registered apprenticeships must live in Iowa
 - remaining apprenticeships must live in contiguous states

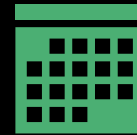
Eligibility Requirements under the Iowa Apprenticeship Development Fund (15C)

- Recipients are eligible for up to \$25,000 per occupation
- Applications are scored based on standardized questions
- Recipients must receive at least 65 /100 points to be eligible

15B and 15C Similarities



Only Registered
Apprenticeships certified by
DOL/OA are eligible



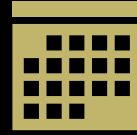
Application window for both
is January 1-February 1



Funds cannot be applied
toward pre-apprenticeship
program expenses

15B and 15C Differences

High-demand occupations are determined by Iowa State Workforce Development Board and community colleges.



15B: all Registered Apprenticeship programs eligible to apply each year.



15C: Existing Programs that added a high-demand occupation are eligible



Registered Apprenticeship
Program Coordinator: Kris Byam
(515) 725-3663
Kristopher.byam@iwd.iowa.gov

Webinar: Classrooms and Workplaces

- March 29, 2023, at 9am CST
- [Webinar Registration - Zoom](#)
- Topic: How Iowa's schools and businesses see work-based learning and how it benefits both employers to enhance their early talent pipelines and students to jumpstart their careers.
- Linda Fandel, Governor's Liaison for Work-Based Learning, IWD,
- Paula Wright, Musco Talent Outreach Manager, and
- Jeff Weld, Governor's STEM Advisor Council Executive Director

Federal Requirements

- Equal Employment Opportunity Regulations in 29 C.F.R. § 30 apply to Registered Apprenticeship Programs
- Parts of the Americans with Disabilities Act (ADA) and the Age Discrimination in Employment Act (ADEA) apply
- Federal EEO regulations for apprenticeships are implemented and enforced through the state apprenticeship agency.

Basic EEO Rule (29 C.F.R. 30.3)



It is unlawful to discriminate against an apprentice or an applicant for an apprenticeship on the basis of:

- race, color, religion, national origin,
- sex, sexual orientation, age (40 or older),
- genetic information, or disability.

In what contexts is discrimination unlawful?

- Recruitment, outreach and selection procedures
- Hiring and/or placement
- Promotion, demotion, transfer, layoff, termination, return from layoff and rehiring
- Rotation among work processes, imposition of penalties or other disciplinary action
- Rates of pay or other forms of compensation and changes in compensation

In what contexts is discrimination unlawful?

- Conditions of work, hours of work, and hours of training provided
- Job assignments
- Leaves of absence
- Sick leave, or any other leave
- Any other benefit, term, condition, or privilege associated with the apprenticeship.

Final EEO Regulations-Overview

- In addition, the sponsor is required to:
 - Disseminate an equal opportunity pledge
 - Implement an anti-harassment training program
 - Distribute invitations to self-identify as an individual with a disability
 - Update written affirmative action plans

Federal Recordkeeping Requirements

Keep records of the following:

- Selection procedures (tests, interview notes, applications, etc)
- Invitation to self-identify as individual with a disability
- Requests for reasonable accommodation
- Personnel records relating to promotions, demotions, layoffs, terminations, compensation, hours, conditions of work, etc.
- Notice to all applicants and apprentices of their right to file a discrimination claim and the procedures for doing so

Other EEOC Compliance Obligations

- Have Apprenticeship Policies and Procedures including:
 - Anti-harassment and anti-discrimination training
 - Implement complaint procedures for harassment and intimidation
 - Update/implement written affirmative action plan
 - Conduct workforce analysis
 - Conduct availability analysis for race, sex and ethnicity
 - Conduct utilization analysis for race, sex, ethnicity, and disability
 - Establish a utilization goal
 - Undertake targeted recruitment activities

In-Depth: Discrimination

UNLAWFUL DISCRIMINATION:

- Disparate Treatment:
 - treating someone differently on the basis of their membership in a protected class
- Disparate Impact:
 - a facially neutral policy or practice that has the effect of discriminating against members of a protected class

In-Depth: Harassment

UNLAWFUL HARASSMENT:

- unwelcome or offensive conduct towards someone
- on the basis of their membership in a protected class
- if ensuring such conduct becomes a condition of continued employment
- or the conduct is sufficiently severe or pervasive to create a hostile work environment

In-Depth: Retaliation

UNLAWFUL RETALIATION

- Taking action against someone for engaging in a protected activity such as:
 - complaining about discrimination or harassment;
 - disclosing or reporting violations,
 - participating in discrimination
 - or whistleblower proceedings

In-Depth: Accommodation

FAILURE TO ACCOMMODATE

- Reasonable accommodations are required for disabilities and sincerely held beliefs or practices.
- Includes disability, pregnancy, religion

Admission Standards: What TO Do

Guidelines

Must comply with Uniform Guidelines for Employee Selection per 41 C.F.R. § 60-3.

Neutral

Must be facially neutral, not on its face discriminatory against any protected class.

Consistent

Must be uniformly and consistently applied to all participants.

ADA

Must comply with the Americans with Disabilities Act.

Admission Standards: What NOT To Do

Do NOT ask about:

- Disabilities or conditions (but can invite self-identification)
- Whether they have ever received workers compensation
- Marital or family status
- Religious affiliation
- Citizenship
- Political affiliation

Do NOT:

- Conduct medical or physiological exams for applicants

Apprenticeship Program Policies

- Admissions and Selection Standards
- Apprenticeship Standards
 - Disciplinary procedures
 - Complaint procedures
 - Attendance policy
 - Medical leave policy
 - Advancement requirements, evaluations, credentials, hour requirements, wage increases

Apprenticeship Program Policies (continued)

- Anti-harassment and anti-discrimination policies and training
- Written affirmative action plan
- Recordkeeping policies

More Information

- RegisteredApprenticeship@iwd.iowa.gov
- <https://www.earnandlearniowa.gov/>
- Kristopher.Byam@iwd.iowa.gov

Additional Information

- Healthcare Apprenticeships

- <https://www.youtube.com/watch?v=8s65ktbyTGw>
- <https://www.earnandlearniowa.gov/sites/default/files/2023-01/IHCC%202.0%20Webinar%201-27-2023.pdf>
- https://www.earnandlearniowa.gov/sites/default/files/2023-02/Health%20Careers%20Webinar%20%20QA__012723.pdf

Teresa M. Domek, Esq., CEBS, CIPP



Office: (319) 365-0437
Email: tdomek@drpjlaw.com
Address: 150 1st Ave NE - Ste 415
Cedar Rapids, IA 52401

