

TRAINING AND EMPLOYMENT NOTICE	NO. 23-16
	DATE December 19, 2016

TO: STATE AND LOCAL STAKEHOLDERS IN THE WORKFORCE
 INNOVATION AND OPPORTUNITY ACT
 STATE WORKFORCE AGENCIES
 STATE APPENTICESHIP AGENCIES
 STATE DIRECTORS, OFFICE OF APPRENTICESHIP
 STATE WORKFORCE ADMINISTRATORS
 STATE WORKFORCE LIAISONS
 STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS

FROM: PORTIA WU 
 Assistant Secretary

SUBJECT: Announcing the release and publication of the *Apprenticeship Programs; Equal Employment Opportunity* final rule in the Federal Register

1. **Purpose.** To announce the publication of the Apprenticeship Program’s Equal Employment Opportunity final rule in the Federal Register on December 19, 2016.
2. **References.** 29 CFR part 30
3. **Background.** The U.S. Department of Labor (DOL or Department) is issuing this rule to modernize the equal employment opportunity (EEO) regulations that implement the National Apprenticeship Act of 1937. The regulations implement this Act by requiring registered apprenticeship program sponsors to provide equal opportunity for participation in their registered apprenticeship programs, and by protecting apprentices and applicants for apprenticeship from discrimination on certain protected bases. In addition, the rule also requires sponsors of registered apprenticeship programs to take affirmative action to provide equal employment opportunity in such programs. The policies and procedures of this rule promote equality of opportunity in apprenticeship programs registered with the Department and in apprenticeship programs registered with federally recognized State Apprenticeship Agencies (SAAs).

The most recent EEO regulations published in 1978 prohibit discrimination in registered apprenticeship on the basis of race, color, religion, national origin, and sex, and require that sponsors of registered apprenticeship programs take affirmative action to provide equal opportunity in such programs.

Highlights of the 2016 regulatory update include the following:

- Expanding protection from discrimination to include a broader range of America’s workforce, including protections based on disability, age (40 or older), sexual orientation, and genetic information;

- Streamlining and clarifying steps for employers and apprenticeship program sponsors while maintaining broad and effective equal employment opportunity protections for apprentices and those seeking entry into apprenticeship programs;
- 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;
- Clarifying the outreach, recruitment, and retention activities expected of apprenticeship program sponsors by specifying common-sense required activities, such as developing a list of recruitment sources and providing those sources advance notice of apprenticeship openings; and
- Allowing SAAs additional time to submit their State EEO plans to come into compliance with these regulations.

4. **Final Rule Publication and Effective Date.**

To view this final rule, please visit <https://www.gpo.gov/fdsys/pkg/FR-2016-12-19/pdf/2016-29910.pdf>.

These regulations are effective January 18, 2017.

To access the final rule and other information, including Frequently Asked Questions, fact sheets, compliance time table chart, and technical assistance strategy please visit the Office of Apprenticeship's EEO web page: <https://www.doleta.gov/oa/eo>. Updates to technical assistance materials and plans will be posted on the Office of Apprenticeship's EEO web page as the items become available.

You may find other information about apprenticeship on the ApprenticeshipUSA Web site at www.dol.gov/apprenticeship.

5. **Action Requested.** Please share this information with interested stakeholders.
6. **Inquiries.** Please direct questions to the Office of Apprenticeship at (202) 693-2796 or oa.administrator@dol.gov.