



Southwest Georgia Workforce Development Board
Policy/Procedure Name: Apprenticeship Policy
Policy/Procedure #: WIOA-76
Effective Date: October 1, 2024
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PURPOSE

This policy provides guidance on the Apprenticeship Program including eligibility, elements, required documentation as well as program performance and requirements regarding the Eligible Training Provider List (ETPL).

A Registered Apprenticeship Program (RAP) is an employer-driven training model that combines on-the-job training learning with job-related technical instruction. RAPs have been validated and registered by the U.S. Department of Labor (USDOL), Office of Apprenticeship (OA), and must meet parameters established under the National Apprenticeship Act. RAPs are a written plan designed to move an apprentice from a low or no-skill entry-level position to full occupational proficiency. Local Workforce Development Areas (LWDAs) may use WIOA funds to support employers or apprentices during the RAP, as applicable.

STATE POLICY

Reference: Technical College System of Georgia – Office of Workforce Development (OWD)- Policy and Procedure Section 4.4.5 Registered Apprenticeship Programs

LOCAL POLICY

I. Program Requirements, Funding, Contract Requirements, Eligibility, Elements and Documentation

Program Requirements

The LWDA must use only WIOA funds for RAPs that are registered and in good standing with USDOL, OA and possess the following:

- a. Full-Time Employment: Apprentices supported with WIOA funds must have full-time employment, permanent employment throughout the duration of the RAP. Apprentices must be full-time employed and receiving wages during the WIOA-supported portion

- b. On-the-Job Training: RAPs supported with WIOA funds must have at least 2000 hours of worksite training for each year of the apprenticeship per RAP work process schedule
- c. Related Technical Instruction: RAPs supported with WIOA funds must have at least 144 contact hours of instruction for each year of the apprenticeship
- d. Wage Increases: RAPs supported with WIOA funds must have progressive wage increases that culminate in at least 75% of the journey worker-level wage as defined by the U.S. Bureau of Labor Statistics (BLS)
- e. National Occupational Credential: Every graduate of a Registered Apprenticeship program receives a nationally recognized credential, referred to as a Certificate of Completion, which is issued by the U.S. Department of Labor (USDOL). The LWDA may also consider other credentials apprentices receive when determining use of WIOA funds to support a RAP

Funding

- a. The LWDA may use WIOA funds to support RAPs when determined appropriate and subject to availability of funding. The LWDA must ensure that funds used to support RAPs are in an in-demand occupation that leads to a sustainable wage as defined as at least \$13.00 per hour. Any exceptions require a formal request submitted for Workforce Development Board (WDB) Executive Director approval.

WIOA funds may be used to offset the cost of a RAP and are intended to provide benefit to the employer or apprentice. WIOA funds are not intended to cover the entire training costs of a RAP. Allowable uses of WIOA programs to fund RAPs include:

- i. Individual Training Accounts (ITAs)
- ii. On-the-Job Training
- iii. Incumbent Worker Training
- iv. Customized Training
- v. Supportive Services

The maximum funding per apprentice is **subject to the availability of WIOA funds and the time spent in training must not exceed the program requirements outlined in the service activity.**

Contract Requirements

The LWDA must create a formal, written contract with the employer or group of employers that is signed prior to the delivery of service. Details of the contract must include the respective required elements of each service as required by state and local policies. In addition to contract requirements for the respective service, all WIOA-funded services used to support RAPS must address the following:

- a. The time period of the service, objectives of the service, allowable uses of funding, and amount of funding;

- b. The service is only provided for the apprentice to become proficient in the respective skills and, at most, until the apprentice completes the RAP;
- c. Services will only be provided for apprentices who are permanent, fulltime employees, and prohibits seasonal, temporary, or intermittent employment as well as classifying apprentices as independent contractors;
- d. Requirement of the RAP to remain in good standing, active, and in compliance with applicable federal regulations, 29 CFR Part 29;
- e. Employers are required to employ and retain apprentices for the duration of the RAP, and for at least two years following the completion of the RAP;
- f. Apprentices, employers, and program must remain eligible for the duration of the RAP;
- g. Provision addressing termination of contract for lack of funding, failure to comply with requirements, or poor performance.
- h. Provision addressing compliance with federal, state and LWDA monitoring reviews and audits;
- i. And all other contract requirements determined necessary by the LWDA, the Southwest Georgia Workforce Development Board (WDB), or City of Colquitt.

Eligibility

All RAPs must be registered, active, and in good standing with USDOL Office of Apprenticeship (OA) and the LWDA to be eligible for support through WIOA funding.

- a. Program Eligibility: To be eligible for WIOA-funded support, the RAP must:
 - i. Be connected to an eligible employer and apprentice per state and local policy,
 - ii. Be viable to operate sufficiently independent of WIOA funds based on factors including the employer's length of time in business, successful operating history, company attestation of sufficient resources to operate the RAP, or other factors developed by WorkSource Southwest Georgia;
 - iii. Be tied to an in-demand occupation, as defined as defined by the LWDA policy [See local area Policy #29]
 - iv. Have a sustainable wage, defined as at least [\$13.00] per hour, and lead to 75% of a journeyman-level wage;
- b. Employer Eligibility: To receive WIOA funding, the employer must:
 - i. Operate in the state of Georgia for at least one year;
 - ii. Employ at least five full-time, permanent employees;
 - iii. Have an active Employer Acceptance Agreement with the Apprenticeship Sponsor, unless the employer serves as the sponsor;
 - iv. Be the employer of record at the end of the RAP and reasonable able to retain the apprentice beyond two years after the completion of the RAP;

- v. Employ the apprentice in Georgia during and after the RAP;
- c. Apprentice Eligibility: To receive WIOA funding, the apprentice must:
- i. Be eligible to receive the respective WIOA funding mechanism
 - ii. Be employed at the start of the RAP and receive wages during the WIOA-supported portion of the RAP;

Employer Pre-Award Review

To ensure the success of a WIOA-supported RAP, the following must be reviewed and documented in the participant case file prior to award of WIOA funds:

- a. Approved Apprenticeship Standards;
- b. Employer Acceptance Agreements (EAAs) with each applicable employer;
- c. Apprenticeship Agreements (ETA Form 671) for each apprentice; and
- d. Detailed Breakdown of Training Costs

Reporting

Local staff must appropriately code all WIOA-supported services for RAPs in the WorkSource Georgia Portal, as required for employers and apprentices for the purpose of WIOA's programmatic and financial reporting requirements.

Monitoring

RAP activities and services provided will be subject to federal and state monitoring, including site visits, interviews, and review of programmatic and financial documents related to the RAPs. The LWDA is required to conduct local monitoring of RAP activities, as applicable.

II. ETPL & Program Performance

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 regarding new training providers or providers submitting new programs. (Ref State Policy and Procedure Manual 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 listed below under II. Program Performance-Program Removal.

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.

Continued Eligibility

RA program sponsors appearing on the State ETPL will remain there as long as the program is registered or until the program sponsor notifies the OWD that it no longer wants to be included on the State ETPL. However, RAs may be removed if determined to have intentionally supplied inaccurate information or to have substantially violated any provision of Title I of WIOA (e.g., civil rights of discrimination violations) or the WIOA regulations, including 29 C.F.R. part 38. An RA 197 program whose eligibility is terminated due to intentionally supplying inaccurate information or substantially violating WIOA provisions will be terminated for not less than 2 years and is liable to repay all youth, adult and dislocated worker training funds, if received during the period of noncompliance.

If instances of substantial violation are reported to OWD, OWD will work in concert with the OA to make the determination of ineligibility. The opportunity for an appeal and hearing is described in the ETPL Appeal Procedures.

At minimum, OWD will conduct a semiannual review of RA programs including verification of the registration status and removal of any RA programs that are not currently registered or no longer wish to continue as ETPs, in collaboration with OA. Although RA programs are not required to provide ETP Performance reports, voluntary reporting of performance information is encouraged under WIOA regulations and outcomes for WIOA participants in WIOA funded RA programs must be included in the State's annual performance report. WIOA § 116 (d)(2).

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.

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)
- 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 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.

Performance

There are no WIOA performance requirements for RA programs and RA programs are not required to provide ongoing reports to the State or Local Workforce Development Boards (LWDBs). OWD will work in concert with the OA to encourage voluntary reporting of performance information.

RA programs must remain registered and in good standing with the OA to remain on the State ETPL. OWD works in concert with the OA to verify registration status.

LWDAs may not impose additional criteria, information or reporting requirements on RA programs. Additionally, if an LWDA has a local ETPL, RA programs should be included and should be noted as 'in-demand occupations'. If an issue arises, LWDAs should contact OWD's Apprenticeship Team for assistance.

REFERENCES

Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, enacted July 22, 2014

Workforce Innovation and Opportunity Act Regulations, 20 CFR Parts 678, 680, 683

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