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September 7, 2022

To: WIOA and Other Subrecipients of the Orange County
Workforce Development Area and OCWDB Staff

From: Carma Lacy
Director of Workforce Development

Subject: Apprenticeship Policy
Information Notice No. 22-OCWDB-03

PURPOSE

To provide guidance on the development of Registered Apprenticeships, program eligibility, and the use of Apprenticeship Individual Training Accounts (AITAs) and Apprenticeship On-the-Job Trainings (AOJTs) for WIOA participants.

EFFECTIVE DATE

This policy is effective immediately upon issuance.

REFERENCES

- Workforce Innovation and Opportunity Act (WIOA) Pub. L. 113-128
- United States Department of Labor (USDOL), WIOA Final Rule, 20 CFR, Part 680 Subpart D and Subpart F
- USDOL, Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations; Final Rule, 29 CFR, Part 29
- USDOL, Training and Employment Guidance Letter 13-16; *Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act* (January, 12, 2017)

BACKGROUND

A Registered Apprenticeship Program (RAP) is a formalized, structured training program that combines on-the-job-training with related practical and technical classroom instruction in highly skilled occupations. The Registered Apprenticeship is industry driven where employers determine the skills that are essential to sustain a quality workforce. Registered Apprenticeships target participants who need training and prepare them for in demand occupations. As an "earn and learn" strategy, Registered Apprenticeships offers job seekers immediate employment opportunities that pay sustainable wages and offer advancement along a career path.



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Graduates of RAPs receive nationally-recognized, portable credentials, and their training may be applied toward further post-secondary education.

All Registered Apprenticeship Programs consist of the following five core components:

1. **Business Involvement**
Businesses must play an active role in building RAPs and are involved in every step of their design and execution. Employers determine the skills needed for workforce success.
2. **On-the-Job Training (OJT)**
Every RAP includes structured OJT. Companies hire apprentices and provide hands-on training from an experienced mentor. This training is developed by mapping the skills and knowledge the apprentice must learn over the course of the program to be fully proficient at the job.
3. **Related Instruction**
Apprentices receive related instruction or classroom style training that complements the OJT. This instruction helps refine the technical and academic skills that apply to the job. Related instruction may be provided by a community college, technical school or college, an apprenticeship training school, or by the business itself. This instruction can be provided at the school, online, or at the work site.
4. **Rewards for Skill Gains**
Apprentices receive increases in pay as their skills and knowledge increase. Progressive wage gains reward and motivate apprentices as they advance through training and become more productive and skilled at their job.
5. **National Occupational Credential**
Every graduate of a RAP receives a nationally-recognized credential issued by the U.S. Department of Labor or state apprenticeship agency. This portable credential signifies that the apprentice is fully qualified to successfully perform an occupation.

Sponsors of Registered Apprenticeship Programs must have the program approved by either the U.S. Department of Labor or the California Division of Apprenticeship Standards (DAS).

Definitions

Intrastate Training Resource and Information Network (I-TRAIN) – The online, searchable database used by South Bay Workforce Investment Board (SBWIB) that includes the training program information (such as contact name, location, accessibility, accreditation, and availability of financial aid) for approved training programs in the Southern California region. (<https://wioa.i-train.org/>)

Non-traditional Registered Apprenticeship – An Apprenticeship in an industry or occupation other than construction or the trades.

On-the-Job Training (OJT) - A training option that provides employers the opportunity to train new participants (Trainees) on the specific knowledge or skills essential to achieve full and adequate performance of the job.

Pre-Apprenticeship Skills Training - A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). The RAP partner for the pre-apprenticeship program must be approved by the

California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Sponsor – The employer, organization, educational institution, agency, or industry association responsible for developing and registering the apprenticeship and ensuring proper implementation of the program after approval.

Traditional Registered Apprenticeship - Programs in the construction or trade industries that are time-based and require a specific number of hours of OJT and related instruction.

Policy and Procedures

The Orange County Workforce Development Board (OCWDB) Business Solutions Unit supports employers in developing new RAPs. Business Solutions is responsible with identifying employers and businesses that would be appropriate for an apprenticeship and connecting these employers with DAS/DOL to begin the registration process. OCWDB is targeting non-traditional apprenticeship industries and occupations for apprenticeship development.

For employers without an established Registered Apprenticeship, OCWDB Business Solutions will evaluate the employer's current or proposed training program and work with the employer to determine the appropriate training approach. If the employer's training program meets the criteria of an apprenticeship, Business Solutions will recommend applying for DAS/DOL approval. Training programs that are six months or less may be categorized as an OJT, rather than a Registered Apprenticeship, and would follow the OCWDB On-the-Job Training Policy.

Service Providers are to promote RAPs with eligible WIOA participants.

Eligibility

WIOA program participants must meet eligibility requirements prior to being provided training services, in accordance with OCWDB Training Services Policy.

Registered Apprenticeship Funding

OCWDB may fund the classroom training and/or the OJT phases of an apprenticeship. In order for a RAP to be eligible for WIOA funding, it must be approved by DAS and listed on I-TRAIN. All apprenticeships approved by DAS are authorized to be automatically placed on the local Eligible Training Provider List (I-TRAIN for Orange County). However, they may not always be listed because apprenticeship programs have the authority to decide if they want to be included or not.

1. Apprenticeship Individual Training Account (AITA)

The AITA applies only to apprenticeship training not provided directly by the employer. An AITA is limited in cost and duration and shall be provided only to eligible participants on the basis of an individualized career assessment. Participants must meet the financial need requirement of being unable to obtain grant assistance from other sources to pay partial or full costs of such training. The AITA will be processed in accordance with the OCWDB Individual Training Account Policy.

As with an ITA, the cost limit for an AITA is \$6,500 for the lifetime of the participant. The maximum AITA limit is not an entitlement. A waiver must be approved by the Director of Workforce Development for AITAs exceeding the cost limit. The amount and duration of

each participant's AITA award is determined on an individual basis. The total cost of the selected training program, any other financial assistance available to the participant, and the funding provided by WIOA available to the Adult, Dislocated Worker, or Youth Programs will factor into the AITA amount.

A participant must be accepted by a registered apprenticeship's training program and sponsor, when applicable, prior to the execution of an AITA.

2. Apprenticeship On-the-Job Training (AOJT)

WIOA authorizes the use of OJT funding to reimburse the Registered Apprenticeship employer for the wages provided to an apprentice during the OJT portion of the apprenticeship. Reimbursement will be based on availability of funding and have a maximum timeframe of one year. A participant is eligible for only one AOJT with a lifetime maximum of \$50,000. A waiver must be approved by the Director of Workforce Development for AOJTs lasting more than one year or exceeding the cost limit. A contract with the employer must be executed in accordance with the OCWDB On-the-Job Training Policy.

Reimbursement rates are based on the size of the employer:

- A maximum of 20 percent for companies with over 50 employees
- A maximum of 30 percent for businesses with 50 employees or less

Pre-Apprenticeship Programs

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. Pre-apprenticeship programs generally consist of the following:

1. Training and curriculum that aligns with the skill needs of employers in the economy of the State or region involved;
2. Access to educational and career counseling and other supportive services, directly or indirectly;
3. Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through coursework can be applied toward a future career;
4. Opportunities to attain at least one industry-recognized credential; and
5. A partnership with one or more Registered Apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship program into a Registered Apprenticeship program.

Pre-apprenticeship programs do not have the same automatic ETPL status under WIOA as do Registered Apprenticeship programs; USDOL does not register or regulate pre-apprenticeship programs. If the pre apprenticeship training program seeks ETPL status and is approved and placed on the ETPL, WIOA Title I funds may be used to fund that program for eligible individuals.

Participant Case File

Service Providers and OCWDB staff shall ensure proper documentation is kept in the participant's hard and electronic case files and available for inspection and review by local, State and Federal monitors. Refer to OCWDB WIOA Documentation Requirements Policy for more information regarding documentation.

Data Management

Service Providers and OCWDB staff shall ensure that accurate activity codes are reflected in CalJOBS.

- 206 Referred to Registered Apprenticeship Program
- 224 Pre-Apprenticeship Training
- 307 Pre-Apprenticeship Program with Occupational Skills Training (ITA)
- 325 Apprenticeship Training
- 431 Enrolled in Pre-Apprenticeship Training (Youth)
- 432 Enrolled in Apprenticeship Training (Youth)
- 437 Pre-Apprenticeship Program with Occupational Skills Training (ITA) (Youth)
- E04 Apprenticeship

ACTION

Bring this policy to the attention of all staff and relevant parties.

INQUIRIES

If you have any questions regarding this policy, please contact your Contract Administrator at 714-480-6500.