



The Impact of Equal Employment Opportunity in Registered Apprenticeship Programs

Registered Apprenticeship and Equal Employment Opportunity

The Registered Apprenticeship (RA) model is a bipartisan supported program that provides workers from all backgrounds with hands-on, customizable training while earning a competitive market wage from day one. This approach to workforce development aims to combat historical income and racial disparities that have plagued many of the nation's citizens for more than a century. Through the flexible training model of RA, apprentices receive salary increases on a time-based or competency-based scale, national industry credentials upon program completion, and, in some instances, associate's or bachelor's degrees.

As the economy advances in technologies and innovations, apprentices are positioned to help the United States remain competitive in the national and global workforce while contributing to local economic growth. When employers sponsor RA programs, they not only invest in tomorrow's workforce but also in workers who are more commonly exposed to disproportionate working environments such as racial and gender wage gaps. However, the unfortunate reality is that even in RA programs, there remains an unequal balance of women, people of color, and people with disabilities.

To prioritize an RA environment that is diverse, equitable, inclusive, and accessible, apprenticeship regulations known as Equal Employment Opportunity (EEO) provide necessary best practices to help “ensure that more Americans from all backgrounds can benefit from [the apprenticeship] training model.”³ Initially established in 1937, this effort emphasizes a standard of inclusion that all employers and sponsors must maintain for RA programs.

The apprenticeship EEO regulation—known as 29 CFR Part 30—requires that RA programs “promote equal opportunity for apprentices and applicants for apprenticeship in Registered Apprenticeship programs by prohibiting discrimination based on race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, and disability. This [regulation] also prescribes affirmative action efforts sponsors must take to ensure equal opportunity for apprentices and applicants for apprenticeship.”⁴ Although mandatory, EEO is designed to help programs reach a wider variety of applicants and expand their talent pool with a diverse group of workers who may have been overlooked.



Advantages of EEO in Registered Apprenticeship

The unfortunate reality surrounding the U.S. workforce is that too many valuable workers face external barriers that affect their chances of earning a living wage, such as a lack of education, appropriate training, and hiring discrimination. As the job market continues to increase educational demands and experience requirements, workers already plagued with barriers to job entry fall further behind, setting them on a trajectory of lost wages and potential generational poverty.

Including EEO in apprenticeship helps incentivize employers and apprenticeship sponsors to intentionally seek individuals and communities where external barriers to work are more rampant. That's because EEO takes an explicit stand to support underrepresented groups, which include "Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality."⁵ When RA programs consciously include workers from underrepresented groups, it creates an ecosystem of diverse apprentices that are valuable for the fast-paced demands of the modern workforce.

The Impact of EEO on Applicants and Apprentices

The harsh reality of RA programs is that while they can increase career earnings and provide stable access to fundamental necessities such as health care, it is a field that is highly dominated by people who identify as white. It's important to note that the DOL acknowledges massive gaps in apprenticeship data, "making an analysis of apprenticeship equity more difficult. For example, it would be ideal to collect the demographic characteristics of program applicants, not just participants, and we would prefer to have a complete universe of demographic data. Similarly, the percentage of apprentices who do not provide demographic information has jumped from 0 to 10 %; almost all of this increase occurred between 2017 and 2019."⁶

However, with nearly 27,000 RA programs in the United States, updated EEO regulations are positioned to help expand diversity among apprentices in all industries, increasing entry for women, people of color, and persons with disabilities. ⁷ Additionally, EEO protects apprentices from discrimination against sexual orientation and genetic information and

must respect “personnel actions, including recruitment, selection, placement, rates of pay, hours of work, and job assignments.”⁸ These protective measures emphasize valuing workers for their skills, a tactic to establish a more robust and united workforce.

How EEO Benefits Employers and Sponsors

Employers and apprenticeship sponsors are positioned to advance workplace equity through EEO regulations and affirmative action steps to create an environment that supports diversity. While some RA programs might already comply with the Equal Employment Opportunity Commission and other state laws, apprenticeship EEO regulations require additional mandatory elements, including universal outreach, fair and equitable recruitment, retention activities, and anti-harassment training. The DOL states the following regarding EEO benefits:

“*Updating, modernizing, and streamlining the rules will not only help employers to attract a large and more diverse applicant pool but will also make it easier for sponsors to comply with the rules and will bring the rule in accord with the current landscape of civil rights statutes and developing case law. The existing regulations . . . protect apprentices and applicants for apprenticeship from discrimination based on race, color, religion, national origin, and sex.*”⁹

When intentional EEO is part of an RA program, employers and sponsors are positioned to enhance community collaborations involving a composition of demographic backgrounds, including those from underrepresented zip codes and veterans. In doing so, there exists a clearer understanding of a program’s composition by race, ethnicity, and sex, which provides direction and goals for meeting EEO regulations.

Affirmative Action Plan

Under EEO regulations, employers and sponsors must provide an affirmative action plan (AAP) to ensure equal apprenticeship opportunities. New apprenticeship programs with five or more apprentices must establish an AAP within two years after the program is registered with the Office of Apprenticeship or a recognized State Apprenticeship Agency. They should review and update their plans annually. An AAP must include “a written plan that details the steps the sponsor has taken and will take to ensure equal opportunity in recruitment, selection, employment, and training of apprentices.”¹⁰



EEO apprenticeship expert Donna Lenhoff suggests these simple instructions for AAP compliance:¹¹

1. Designate someone in your program to be responsible for EEO.
2. Post an equal opportunity pledge and hold occasional sessions to inform your apprentices and their co-workers of your commitment to EEO.
3. Notify recruitment sources in your area of all openings in your program.
4. Provide anti-harassment training to your apprentices and their co-workers.
5. Keep required records.
6. If you have five or more apprentices, create a written AAP within two years of registering your program.

Affirmative Action at KansasWorks

The Office of Registered Apprenticeship at KansasWorks recently updated its website to include language-friendly information for potential applicants, which included their affirmative action plan under EEO requirements. They successfully replaced bulky, complicated language with easy-to-follow instructions to attract more applicants while clearly defining requirements for employers and sponsors. [KansasWorks](#) is an excellent example of an apprenticeship hub making updates to comply with EEO regulations

Outreach and Recruitment

EEO regulations require RA programs to develop relevant recruitment strategies that can generate referrals from all demographics. Suggested recruitment resources include “the public workforce system’s One-Stop Career Centers [American Job Centers] and local workforce investment boards; community-based organizations; community colleges; vocational, career, and technical schools; pre-apprenticeship programs; and federally funded youth job training programs such as YouthBuild and Job Corps or their successors.”¹²

The Universal Outreach Tool by the DOL helps program sponsors “expand and recruit to diverse and qualified candidates in their area, while also meeting a key provision of the apprenticeship Equal Employment Opportunity regulations.”¹³ This tool allows sponsors to better meet their EEO requirements by publicizing apprenticeship openings and referring potential candidates

EEO and the Law

The following information is taken directly from the Code of Federal Regulations: 29 CFR Part 30 EEO in Apprenticeship.¹⁴

Discrimination Prohibited

It is unlawful for a sponsor of a RA program to discriminate against an apprentice or applicant for apprenticeship based on race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability with regard to:

1. Recruitment, outreach, and selection procedures
2. Hiring and/or placement, upgrading, periodic advancement, promotion, demotion, transfer, layoff, termination, right of return from layoff, and rehiring
3. Rotation among work processes
4. Imposition of penalties or other disciplinary action
5. Rates of pay or any other form of compensation and changes in compensation
6. Conditions of work
7. Hours of work and hours of training provided
8. Job assignments
9. Leaves of absence, sick leave, or any other leave
10. Any other benefit, term, condition, or privilege associated with apprenticeship





General Duty to Engage in Affirmative Action

A sponsor must take affirmative action steps for each RA program to provide equal opportunities. These steps must include:

1. **Assignment of responsibility.** The sponsor will designate an individual or individuals with appropriate authority under the program, such as an apprenticeship coordinator, to be responsible and accountable for overseeing its commitment to equal opportunity in Registered Apprenticeship, including the development and implementation of an affirmative action program. . . The individual(s) will be responsible for:
 - a. Monitoring all Registered Apprenticeship activity to ensure compliance with the nondiscrimination and affirmative action obligations
 - b. Maintaining records
 - c. Generating and submitting reports as may be required by the registration agency

2. **Internal Dissemination of Equal Opportunity Policy.** The sponsor must inform all applicants for apprenticeship, apprentices, and individuals connected with the administration or operation of the RA program of its commitment to equal opportunity and affirmative action obligations. In addition, the sponsor must require that individuals connected with the administration or operation of the apprenticeship program take the necessary action to aid the sponsor in meeting its nondiscrimination and affirmative action obligations under this part. A sponsor, at a minimum, is required to:
 - a. Publish its equal opportunity pledge in appropriate publications, such as apprentice and employee handbooks, policy manuals, and newsletters
 - b. Post its equal opportunity pledge on bulletin boards and via email so that it is accessible to all apprentices and applicants for apprenticeship:
 - i. [Name of sponsor] will not discriminate against apprenticeship applicants or apprentices based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, or because they are an individual with a disability or a person 40 years old or older. [Name of sponsor] will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, Part 30.
 - c. Conduct orientation and periodic information sessions for individuals connected with the administration or operation of the apprenticeship program
 - d. Maintain records necessary to demonstrate compliance with these requirements and make them available to the registration agency upon request

3. **Universal Outreach and Recruitment.** The sponsor will implement measures to ensure that its outreach and recruitment efforts for apprentices extend to all persons available for apprenticeship within the sponsor's relevant recruitment area without regard to race, sex, ethnicity, or disability. In furtherance of this requirement, the sponsor must:
 - a. Develop and update annually a list of current recruitment sources that will generate referrals from all demographic groups within the relevant recruitment area
 - b. Identify a contact person, mailing address, telephone number, and email address for each recruitment source
 - c. Provide recruitment sources advance notice, preferably 30 days, of apprenticeship openings

4. **Maintain Apprenticeship Programs Free from Harassment, Intimidation, and Retaliation.** The sponsor must develop and implement procedures to ensure that its apprentices are not harassed because of their race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability.
 - a. Provide anti-harassment training to all individuals connected with the administration or operation of the apprenticeship program. . . the training content must include, at a minimum, communication of the following:
 - i. That harassing conduct will not be tolerated
 - ii. The definition of harassment and the types of conduct that constitute unlawful harassment
 - iii. The right to file a harassment complaint
 - b. Make all facilities and apprenticeship activities available without regard to the list mentioned above
 - c. Establish and implement procedures for handling and resolving complaints about harassment and intimidation

5. **Compliance with Federal and State Equal Employment Opportunity Laws.** The sponsor must comply with all other applicable federal and state laws and regulations that require EEO.

For a more in-depth look at 29 CFR 30, see <https://www.ecfr.gov/current/title-29/subtitle-A/part-30>.



Implementing EEO Strategies Into RA Programs

The EEO regulations are mandatory, but their impact on the nation's workforce and the apprenticeship talent pool is undeniable. To seamlessly integrate EEO strategies into an RA program, expert Donna Lenhoff suggests these EEO compliance instructions:

1. Designate someone with appropriate authority in your program to be responsible for EEO.
2. Communicate your commitment to EEO by posting an equal opportunity pledge and holding periodic EEO information sessions.
3. Identify all the recruitment sources in your area and notify them of all openings in your program.
4. Provide anti-harassment training to your apprentices and their co-workers.
5. Keep required records.

Key Takeaways



Equal employment in Registered Apprenticeship benefits employers and sponsors.

EEO helps incentivize employers to intentionally seek communities and individuals where external barriers to work are more rampant

Although mandatory, the benefits of EEO are invaluable for applicants, employees, and apprentices.

Mandatory regulations such as affirmative action plans and intentional recruitment provide long-term benefits to RA programs.

29 CFR Part 30

Don't put all your eggs in one basket. Diversify your investments to reduce risk and maximize returns.

Additional Resources

EEO Federal Regulations

[Part 30—Equal Employment Opportunity in Apprenticeship](#): This webpage outlines the most up-to-date EEO federal regulations for Registered Apprenticeships.

Jobs for the Future

[5 Equal Employment Opportunity Steps to Take When Setting Up a Registered Apprenticeship Program](#): This tool documents the steps RA sponsors need to take under the Apprenticeship Equal Employment Opportunity regulations, 29 CFR Part 30.

[5 Initial Steps to Equal Employment Opportunity for Registered Youth and Adult Apprenticeships](#): This self-paced, online training course walks you through the first five actions RA programs must complete to meet EEO obligations.

[Responses to Potential Sponsors' Concerns About Equal Employment Opportunity in Apprenticeship](#): Organizations considering registering an RA program often have concerns about what EEO regulations mean for them. These talking points address many of their frequently asked questions.

RAPIDS

[RAPIDS Partner Finder Guide](#): The Registered Apprenticeship Partners Information Database System, or RAPIDS, is a case management program that is the primary platform for managing apprentices, occupations, and relevant job openings.

Apprenticeship USA

[Equal Employment Opportunity Information Page](#): Apprenticeship.gov is a leading source with a wealth of information on the latest EEO updates and resources.

[Apprentice Outreach and Recruitment](#): This webpage provides a list of helpful tools, links, and training webinars for universal outreach in accordance with EEO regulations.

[Conducting Demographic Analysis for Registered Apprenticeship Programs](#): A quick reference guide for apprenticeship sponsors to help understand workplace demographics.



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Endnotes

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