



INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAM FREQUENTLY ASKED QUESTIONS

GENERAL INFORMATION

Background

In June 2017, President Donald J. Trump signed an Executive Order (EO) on Expanding Apprenticeships in America. Section 4 of the EO, entitled “Establishing Industry-Recognized Apprenticeships,” directed the Secretary of Labor (Secretary) to consider proposing regulations that promote the development of apprenticeship programs by third parties. Section 8 of the EO directed the Secretary to establish a Task Force on Apprenticeship Expansion to identify strategies and proposals to promote apprenticeships, especially in sectors where apprenticeship programs are insufficient. In May 2018, the Task Force on Apprenticeship transmitted its final report to the President, including recommendations noting that the establishment of Industry-Recognized Apprenticeship Programs (IRAPs) could provide industry organizations and employers more tools to create high-quality apprenticeship programs and opportunities. To address America’s skills gap and rapidly increase the availability of high-quality apprenticeship programs in sectors where apprenticeship opportunities are not widespread, the U.S. Department of Labor issued a Final Rule that establishes a system for advancing the development of high-quality IRAPs.

What are Industry-Recognized Apprenticeship Programs?

IRAPs are a new and flexible form of high-quality apprenticeship programs that provides individuals with opportunities to obtain workplace-relevant knowledge and progressively advancing skills. IRAPs include a paid-work and an educational component, and they result in an industry-recognized credential.

An IRAP can be developed by Department-recognized, industry-leading third-party entities such as trade groups; corporations; non-profits; educational institutions; unions; and joint labor-management organizations. The IRAP Final Rule establishes a process for the Department of Labor’s Office of Apprenticeship (OA) Administrator to recognize qualified third-party entities, known as Standards Recognition Entities (SREs), which will, in turn, evaluate and recognize IRAPs consistent with the Department’s standards.

High-quality IRAPs include the following 10 key requirements:

1. **Paid Work.** IRAPs must ensure that apprentices are paid at least the applicable Federal, State, or local minimum wage. The program must provide a written notice to apprentices of what wages they will receive and under what circumstances their wages will increase.
2. **Written Training Plan.** IRAPs must have a written training plan, consistent with its SRE's requirements and standards. The written training plan, which must be provided to an apprentice prior to beginning an IRAP, must



detail the program's structured work experiences and appropriate related instruction. The training plan must be designed so that apprentices demonstrate competency and earn credential(s), and provide apprentices progressively advancing industry-essential skills.

3. **Written Apprenticeship Agreement.** IRAPs must maintain a written apprenticeship agreement for each apprentice that outlines the terms and conditions of the apprentice's employment and training. The apprenticeship agreement must be consistent with its SRE's requirements.
4. **Specialized Knowledge and Experience.** IRAPs must train apprentices for employment in jobs that require specialized knowledge and experience and involve the performance of complex tasks.
5. **Safety.** IRAPs must provide a working environment for apprentices that adheres to all applicable Federal, State, and local safety laws and regulations and complies with any additional safety requirements of its SRE.
6. **Equal Employment Opportunity.** IRAPs must affirm their adherence to all applicable Federal, State, and local laws pertaining to EEO.
7. **Credit for Prior Knowledge.** IRAPs must provide credit for prior knowledge and experience to apprentices relevant to the instruction of the program.
8. **Mentorship.** IRAPs must provide apprentices structured mentorship opportunities throughout the duration of the apprenticeship that involve ongoing, focused supervision and training by experienced instructors and employees, to ensure apprentices have additional guidance on the progress of their training and their employability.
9. **Industry-Recognized Credentials.** IRAPs must provide apprentices industry-recognized credential(s) during participation in or upon completion of the program.
10. **Disclosure of Costs and Fees.** IRAPs must disclose to apprentices, before they agree to participate in the program, any costs or expenses that will be charged to them (such as costs related to tools or educational materials).

Are IRAPs excluded from any sector?

IRAPs will supplement the successful Registered Apprenticeship Program (RAP). Since the RAP model is already widespread within the construction sector, IRAPs can be developed in any sector except for construction.

What is DOL's role and oversight of IRAPs?

- The Department's quality assurance role allows the Department to evaluate the SRE's ability to fulfill its responsibilities to ensure that their IRAPs continue to satisfy the Department's standards of high-quality apprenticeships.
- The Administrator may discharge recognition, review, suspend, and derecognize SREs.

STANDARDS RECOGNITION ENTITIES (SREs)

What types of entities can become SREs?

The types of entities that can become SREs include, but are not limited to:

- Trade, industry, and employer groups or associations;
- Corporations and other organized entities;
- Educational institutions, such as universities or community colleges;
- State and local government agencies or entities;
- Non-profit organizations;
- Unions;
- Joint labor-management organizations;
- Certification and accreditation bodies or entities for a profession or industry;
- A consortium or partnership of entities such as those above.

Ineligible to Apply for DOL Recognition: The U.S. Department of Labor will not recognize SREs that intend to recognize programs that train apprentices to perform construction activities, consisting of: the erecting of buildings and other structures (including additions); heavy construction other than buildings; and alterations, reconstruction,

installation, and maintenance and repairs. After receiving recognition, SREs may not recognize programs seeking to train apprentices in these activities.

What are the criteria to become an SRE?

SREs are trusted workforce development leaders in their industry, either at a local, regional, or national level. An entity is qualified to be recognized as an SRE if it demonstrates the following:

- SREs must have the expertise to set competency-based standards, through a consensus-based process involving industry experts, for the requisite training, structure, and curricula for apprenticeship programs in the industry(ies) or occupational area(s) in which they seek to be an SRE.
- SREs must have the capacity and quality assurance processes and procedures to ensure IRAPs comply with DOL standards for safety, compensation, and quality.
- SREs must have the resources to operate as an SRE for a 5-year period.
- SREs must demonstrate impartiality by disclosing partners who will be engaged in recognition activities, describing their roles, including their relationships with subsidiaries.
 - SREs must be in good standing with the U.S. Federal Government. They cannot be suspended or debarred from doing business with the Federal Government.
 - SREs must have policies, processes, procedures, or structures in place to mitigate any conflicts of interest.
 - SREs must have the appropriate industry and occupational expertise and resources in place to recognize IRAPs in their selected geographical area (Nationwide or limited to a region, State, or local area).

What are the responsibilities of an SRE?

- SREs are responsible for recognizing or rejecting IRAPs in a timely manner.
- SREs must notify the Office of Apprenticeship within 30 days when they have recognized, suspended, or derecognized an IRAP, and include the name and contact information of the program.
- SREs are responsible for providing program and performance data to the Office of Apprenticeship in a timely manner.
- SREs are responsible for only recognizing high-quality IRAPs as set forth by the Department in the IRAP Final Rule.
- SREs must establish policies and procedures for recognizing, and validating compliance of, programs that ensure that SRE decisions are impartial, consistent, and based on objective and merit-based criteria.
- SREs will review programs and validate that they meet the high-quality criteria of an IRAP at initial recognition and on an annual basis.
- SREs must remain in an ongoing quality-control relationship with the IRAPs they have recognized, to include periodic compliance reviews and consideration of apprentices' credential attainment, program completion, retention rates, and earnings.
- SREs must publicly disclose the credential(s) that apprentices will earn during their participation in or upon completion of an IRAP. SREs are responsible for developing policies and procedures for the suspension or derecognition of an IRAP that fails to comply with the SRE's requirements.
- SREs are responsible for developing policies and procedures that require IRAPs' adherence to applicable Federal, State, and local laws pertaining to EEO and reflect comprehensive outreach strategies to reach diverse populations.
- SREs are responsible for having policies and procedures for addressing complaints filed against their IRAPs.
- An SRE must notify the Administrator and must provide all related material information if:
 - It makes any major change that could affect the operations of the program, such as involvement in lawsuits that materially affect the SRE, changes in legal status, or any other change that materially affects the SRE's ability to function in its recognition capacity; or
 - It seeks to recognize apprenticeship programs in additional industries, occupational areas, or geographical areas.

What is the process for becoming a DOL recognized SRE?

Consistent with the IRAP Final Rule, prospective SREs that intend to recognize IRAPs must first apply for recognition by



submitting the information requested in the application to the Administrator. Organizations interested in serving as SREs may submit their applications online beginning on May 11, 2020. Entities will be able to consult with and receive technical assistance from DOL about how to prepare their applications and can begin putting together an application so that it is ready to submit as soon the rule is effective.

Applications should be submitted electronically using the Department's [online application](http://www.apprenticeship.gov) on www.apprenticeship.gov. The application must include all required policies and procedures. Based upon the information submitted, the Administrator will determine whether the applicant is qualified to be recognized as an SRE of IRAPs under the IRAP Final Rule. DOL's Office of Apprenticeship will notify the applicant. An SRE will be recognized for 5 years and must reapply at least 6 months before the date that its current recognition is set to expire if it seeks re-recognition.

How will you know if you aren't approved to become an SRE?

The Office of Apprenticeship will review SRE applications quarterly in batches, and it will provide a denial of recognition with the reason(s) for denial. The notice will tell the applicant what it needs to do differently before resubmitting its application. The notice will also explain that a request for administrative review must comply with the service requirements contained in 29 CFR part 18. The Administrator will refer any requests for administrative review to the Office of Administrative Law Judges.

What happens if an SRE no longer meets the requirements? Can an SRE be suspended or derecognized?

The Administrator may suspend an SRE for 45 calendar days and may initiate review of an SRE if it receives information indicating that: (1) The SRE is not in substantial compliance with this subpart; or (2) The SRE is no longer capable of continuing as an SRE.

The notice will include an explanation of the Office of Apprenticeship's decision, including identified areas in which the SRE is not in substantial compliance or an explanation why the SRE is no longer capable of continuing as an SRE, or both, and necessary remedial actions, and must explain that the Administrator will derecognize the SRE in 45 calendar days unless remedial action is taken or a request for administrative review is made.

If the SRE does not take remedial action or request administrative review of the suspension, the Administrator will derecognize the SRE, notify the SRE in writing, and specify the reasons for the derecognition. The SRE may request administrative review within 45 calendar days of receipt of the notice.

What are an SRE's appeal rights?

An entity that has been denied recognition as an SRE will receive notice of a denial of recognition and may request administrative review within 30 calendar days of receipt of the notice. An SRE will receive notice of suspension or derecognition and may request administrative review within 45 calendar days of receipt of the notice.

Any request for administrative review must comply with the service requirements contained in 29 CFR part 18. The Administrator will refer any requests for administrative review to the Office of Administrative Law Judges to be addressed. Requests for administrative review should be submitted electronically using the means provided on the Office of Apprenticeship website at www.apprenticeship.gov.

What are the reporting requirements for SREs?

Each year, an SRE must report to the Administrator, in a format prescribed by the Administrator, and make publicly available the following information on each IRAP it recognizes:

1. Up-to-date contact information for each IRAP;
2. The total number of new and continuing apprentices annually training in each IRAP under an apprenticeship agreement;
3. The total number of apprentices who successfully completed the IRAP annually;
4. The annual completion rate for apprentices. Annual completion rate must be calculated by comparing the

number of apprentices in a designated apprenticeship cohort who successfully completed the IRAP requirements and attained an industry-recognized credential with the number of apprentices in that cohort who initially began training in the IRAP;

5. The median length of time for IRAP completion;
6. The post-apprenticeship employment retention rate, calculated 6 and 12 months after program completion;
7. The industry-recognized credentials attained by apprentices in an IRAP, and the annual number of such credentials attained;
8. The average earnings of an IRAP's former apprentices, calculated 6 months after IRAP completion;
9. Training cost per apprentice; and
10. Basic demographic information on participants.

COMPLAINTS

Is there a process for complaints against an IRAP?

Yes. An SRE must have policies and procedures for addressing complaints filed by apprentices, prospective apprentices, an apprentice's authorized representative, a personnel certification body, or an employer against each IRAP the SRE recognizes. An SRE must notify the public about the right of an apprentice, a prospective apprentice, the apprentice's authorized representative, a personnel certification body, or an employer, to file a complaint with the SRE against an IRAP the complainant is associated with, and the requirements for filing a complaint.

Is there a process for complaints against an SRE?

Yes. A complaint arising from an SRE's compliance may be submitted by an apprentice, the apprentice's authorized representative, a personnel certification body, an employer, or an IRAP to the Administrator for review. The complaint must be in writing and must be submitted within 180 calendar days from the complainant's actual or constructive knowledge of the circumstances giving rise to the complaint. It must set forth the specific matter(s) complained of, together with relevant facts and circumstances. The complaints against an SRE are addressed exclusively through the review process outlined in § 29.26. Additionally, nothing precludes a complainant from pursuing any remedy authorized under Federal, State, or local law. An SRE must notify the public about the right to file a complaint against it with the Administrator.

What happens to IRAPs if their SRE is derecognized?

Following its SRE's derecognition, an IRAP will maintain its status until 1 year after the Administrator's decision derecognizing the IRAP's SRE becomes final, including any appeals. At the end of 1 year, the IRAP will lose its status unless it is recognized by another approved SRE. Once derecognized, the Administrator will update the online list of SREs to reflect the derecognition, and the Administrator will notify the SRE's IRAP(s) of the derecognition.

IRAP SPONSORS

What are IRAP Sponsors?

An IRAP Sponsor is the entity responsible for administering the Industry-Recognized Apprenticeship Program. IRAP Sponsors are entities such as trade and industry groups, corporations, non-profit organizations, educational institutions, unions, and joint labor-management organizations.

How can my company start an IRAP? How can I prepare my organization to start an IRAP?

- Assess your workforce needs, consider how this new flexibility in apprenticeship could offer the right talent development solution, and develop a program.
- Familiarize yourself with the DOL standards for high-quality IRAPs.
- Identify trusted national industry leaders in your industry sector and encourage them to apply for recognition as an SRE.
- Monitor DOL's IRAP website for up-to-date information about recognized SREs.
- Seek recognition from an SRE in your industry or occupational area.

- IRAPs that seek to train apprentices to perform construction activities cannot be recognized by SREs.
- To learn more about how to become an IRAP sponsor:
 - Review the [IRAP Sponsor Factsheet](#)
 - Visit www.apprenticeship.gov to review the IRAP Final Rule and resources to become familiar with IRAPs and the roles and responsibilities of SREs.
 - Sign up for our [Apprenticeship Newsletter](#) to receive the latest apprenticeship- related news from the USDOL.

My SRE is derecognized, what happens to my program?

Following an SRE's derecognition, an IRAP will maintain its status until 1 year after the Administrator's decision derecognizing the SRE becomes final, including any appeals. At the end of 1 year, the IRAP will lose its status unless it is recognized by another approved SRE. Once the SRE is derecognized, the Administrator will update the online list of SREs to reflect the derecognition, and the Administrator will notify the SRE's IRAP(s) of the derecognition.

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA SERVICES) FOR IRAPs

How can an IRAP be added to the Eligible Training Provider (ETP) List?

IRAPs must apply to be added to the state ETP list, as is the case with any other prospective training provider.

Are WIOA services covered under the Industry-Recognized Apprenticeship Programs?

State and local WDBs can combine IRAPs and WIOA services as they would in the case of any other training provider. Eligible Training Providers (ETPs) receive funding through an Individual Training Account (ITA) for training services, and they must be included on a state ETP list. Under WIOA, a significant amount of autonomy is given to the States and localities to determine criteria for inclusion on ETP lists.

In order to support the related training component of an IRAP using a WIOA Individual Training Account, these programs would still have to apply for status as an ETP on a state ETP list. Once on the ETP list, local American Job Centers (AJCs) can refer WIOA participants to an IRAP and use ITAs to pay for the training costs of a participant who enrolls in those IRAPs that are taking applications (i.e., openings are or will become available).

In addition to ITAs, the local AJC may fund portions of the work-based learning component of the IRAP using contracts, based on local policies. WIOA allows for on-the-job training (OJT), customized training, and incumbent worker training to be paid for with contracts, which can be made with providers that are not on the ETP list. WIOA OJT contracts may be used to fund OJT for one or more eligible participants and may be used to reimburse employers for the extraordinary costs of training at a level of up to 75 percent of the participants' wages in certain circumstances.

WIOA-funded supportive services may also be provided, in accordance with TEGL 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules, to enable WIOA participants to participate in career and training services.

ETA strongly encourages the WIOA workforce system to coordinate services with IRAPs. To learn more, please review [Training and Employment Act 21-19](#).

What are other sources of funding for Industry-Recognized Apprenticeship Programs?

- **Trade Adjustment Assistance (TAA).** IRAPs are an encouraged type of employer-based training that may be approved for a worker covered by the certification of group eligibility for the TAA program authorized by the Trade Act of 1974, as amended. For a worker to receive approval to enroll in an IRAP funded by TAA, the state must determine that the following six criteria are met: 1) no suitable employment is available for an adversely affected worker; 2) the worker would benefit from appropriate training; 3) there is a reasonable expectation of employment following completion of training; 4) training is reasonably available to the worker; 5) the worker is qualified to undertake and complete such training; and 6) training is suitable for the

worker and available at a reasonable cost. The TAA Program can pay for the expenses associated with related instruction (e.g., classroom and distance learning), tools, uniforms, equipment or books for an adversely affected worker's participation in an IRAP. For more information, please contact the appropriate Regional Trade Coordinator.

- **State Funds.** Many states use statewide Governor's reserve funding to support RAPs, and consideration of the use of these funds to support IRAPs is strongly recommended. States have considerable flexibility in designing the uses of their statewide set-aside funds for allowable statewide activities. Such uses could pertain to RAPs, pre-apprenticeship, and IRAPs. Other state-level resources also may be used to support IRAPs, such as tax credits for eligible businesses for each apprentice employed in an IRAP.
- **Discretionary Grants from ETA.** ETA provides for a variety of discretionary grants that may fund projects that include IRAPs as a training strategy. For instance, H-1B discretionary grant programs may incorporate IRAPs as a training strategy to provide participants with the skills, credentials, and experience necessary to enter middle- and high-skilled jobs across industries and occupations for which employers are using H-1B visas to hire foreign workers.

HOW TO LEARN MORE ABOUT IRAPS

- To learn more about IRAPs and SREs:
 - Visit www.apprenticeship.gov to review the IRAP Final Rule and resources to become familiar with IRAPs and the roles and responsibilities of SREs.
 - Sign up for our [Apprenticeship Newsletter](#) to receive the latest apprenticeship-related news from the USDOL.
- Organizations interested in serving as SREs may submit their applications online beginning on May 11, 2020.
 - Entities will be able to consult with and receive technical assistance from DOL about how to prepare their applications.
- To prepare, those interested in becoming SREs can:
 - Begin to develop the plans of action, structures, and key partnerships that will form the basis for a successful SRE application.
 - Review the SRE application form and [application checklist](#) on apprenticeship.gov
- To prepare, those interested in developing an IRAP program and becoming an IRAP program can:
 - Assess their workforce needs, consider how this new flexibility in apprenticeship could offer the right talent development solution, and develop a program.
 - Familiarize themselves with the DOL standards for high-quality IRAPs.
 - Identify trusted national industry leaders in your industry sector and encourage them to apply for recognition as an SRE.
 - Monitor DOL's [IRAP website](#) for up-to-date information about recognized SREs.
- To prepare, the education and workforce systems can:
 - Consider how IRAPs can strengthen work-based learning models.
 - Continue to learn more and serve as an advocate for increasing the adoption and expansion of apprenticeships.
 - Leverage public-private partnerships to demonstrate their role in creating strong apprenticeship programs.
 - Participate in National Apprenticeship Week by hosting or attending an event to learn more about apprenticeship and the current opportunities that exist.