



# 5 Equal Employment Opportunity Steps to Take When Setting Up a Registered Apprenticeship Program

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## **At a Glance**

This tool documents the steps Registered Apprenticeship sponsors need to take under the Apprenticeship Equal Employment Opportunity regulations, 29 CFR part 30.

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## Acknowledgments

This product was developed as a contribution to [JFF's National Innovation Hub for Diversity, Equity, Inclusion, and Accessibility in Registered Apprenticeship](#). Operated by Jobs for the Future (JFF), the Innovation Hub drives change in the Registered Apprenticeship system to increase diversity, equity, inclusion, and accessibility for populations that do not yet have access to the full promise of apprenticeship.

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### About JFF

Jobs for the Future (JFF) drives transformation of the American workforce and education systems to achieve equitable economic advancement for all. [www.jff.org](http://www.jff.org)

### About the Author

Donna Lenhoff is a lawyer and policy developer. She has nearly 40 years of experience implementing, teaching, writing about, and advocating for employment and civil rights law and policy in the U.S. Department of Labor and in non-profit organizations representing employees' interests. Donna Lenhoff Associates provides best-in-class solutions to make it as easy as possible for organizations, especially Registered Apprenticeship programs, to foster equal employment opportunity, diversity, inclusiveness, and equity.

### About JFF's Language Choices

JFF is committed to using language that promotes equity and human dignity, rooted in the strengths of the people and communities we serve. We develop our content with the awareness that language can perpetuate privilege but also can educate, empower, and drive

positive change to create a more equitable society. We will continually reevaluate our efforts as language usage continues to evolve.

*The content in this document is up to date in accordance with federal regulations as of January 2023. The latest regulations can be found on the U.S. Department of Labor's Equal Employment Opportunity in Registered Apprenticeship [website](#).*

## Introduction

These steps are required by the Apprenticeship Equal Employment Opportunity (EEO) regulations, 29 CFR part 30. They apply to all Registered Apprenticeship programs, regardless of the number of apprentices.

- 1) Designate someone with appropriate authority in your program to be responsible for Equal Employment Opportunity (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.

### ***Step 1: Designate someone in your program to be responsible for EEO***

- Choose a leader/point person for EEO efforts.***

Ordinarily, this is an employee of the sponsor, such as the RAP Director or Administrator. In an individual-sponsor situation where the sponsor is also the apprentices' employer, it might be someone from the employer's human resources office.

- Make sure they have the staff, authority, and other program resources they need to carry out their responsibilities.***

### ***Step 2: Communicate your commitment to EEO by publicly posting an Equal Opportunity Pledge in your offices and online and holding occasional EEO information sessions***

- Post your Apprenticeship Equal Opportunity Pledge and Complaints Information poster.**
  - Download the [poster template](#).

- Adapt the poster by filling in the sponsor’s name in the top section and the EEOC/state Fair Employment Agency information in the bottom section.
- Display hard copies of the poster where apprentices and applicants will see it (ordinarily, alongside the other EEO, Employee Rights postings).
- Post an electronic copy of the poster on your website and in other publications like employee handbooks that you disseminate.
- Hold ongoing and regularly scheduled EEO information sessions to ensure your apprentices and their co-workers know of your commitment to EEO.
- Decide how to hold these sessions—in-person or virtually—and schedule the first one.
- Make sure that everyone who works regularly with your apprentices participates in the session, including journeyworkers who supervise and instruct them on the job, instructors in their related-training classes, and administrative staff in your program.
- Plan the agenda for the session to be sure it communicates your EEO policy and decide who will deliver that commitment—it is most effective for the top leader(s) of the program to make this presentation.
- Repeat the session to reinforce your message and to make sure that new employees (apprentices and co-workers) participate in it not too long after onboarding—hold these sessions often enough to communicate that EEO is a high priority and to ensure that everyone receives the information reasonably soon after they begin work.

### ***Step 3: Identify all the recruitment sources in your area and notify them of all openings in your program***

- Use [OA’s Universal Outreach Tool](#) to develop a list of recruitment sources for each location you recruit from.
  - For each source, identify a contact person, mailing address, telephone number, and email address.
- Regularly update your *recruitment-source list*.

- Make it your standard operating procedure to update the recruitment-source list regularly, and at least once a year.
- Every time you have openings in your program, send notices to your recruitment source list before the application deadline (preferably at least 30 days before).**
  - This time allows your recruitment sources to notify potential candidates and refer them to your program—notification by email is sufficient.
- Include the following information in the notices.**
  - The specific apprenticeship opportunities that are available.
  - The minimum qualifications for the apprenticeship.
  - The procedures for applying.
- Include the language of your Equal Opportunity Pledge in the notices.**
  - [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.
- When sending out notices of openings, send to ALL recruitment sources on your list in your recruitment area.**

***Step 4: Hold anti-harassment trainings to “maintain apprenticeship programs free from harassment, intimidation, and retaliation” and to “promote an environment in which all apprentices feel safe, welcomed, and treated fairly”***

- Making sure anti-harassment training happens is the responsibility of the RAP sponsor. For that reason, ordinarily the training is delivered by the RAP sponsor. But it could be delivered by participating employers or others, as long as it includes the required elements and reaches the required audiences.

- Decide who will present this training, how to hold it (in-person or virtually), and schedule the first one.**
  - It is most effective for the top leader(s) of the program to make this presentation.
- In-person training is preferred—if you use online training, you will need to develop a mechanism for verifying that all relevant participants completed the training.**
- However you hold the training, make sure it involves active participation by trainees, such as completing interactive training online.**
- Make sure not only the apprentices themselves, but also everyone who works regularly with the apprentices, participates in the training.**
  - This includes journeyworkers who supervise and instruct apprentices on the job, mentors who guide them, instructors in their related-training classes, and administrative staff in your program.
- Decide on the curriculum for the training.**
  - At a minimum, the curriculum must include:
    - A clear statement that harassing conduct will not be tolerated
    - The definition and examples of harassment
    - How an individual can file a harassment complaint with OA or their SAA
  - The U.S. Department of Labor Office of Apprenticeship has developed a suite of [training program resources](#) you can use for the anti-harassment training.
- Repeat the training often enough that all employees (apprentices and co-workers) receive it.**
  - These trainings should be held often enough so that everyone receives the information reasonably soon after they begin.

### Step 5: Set up required recordkeeping

- Ask all applicants to your program to designate their race, sex, and ethnicity.**
  - You may ask applicants to designate their race, sex, and ethnicity on their application form if you are asking in order to track the demographics of your applicant flow. The Apprenticeship EEO regulation on sponsor identification of record encourages this.
  - It is voluntary for applicants to provide this information.
  - If you decide not to ask for this information on the application form, or if an applicant refuses to provide it, you may obtain applicants' sex, race, or ethnicity data by visual observation.
  - If you ask for demographic self-identification on your application form, be sure to guard against discriminatory selection by using a mechanism such as a "tear-off" sheet, to separate the demographic information from the information used to decide whether to admit applicants to your program.
- Make sure you have asked all your current apprentices for their demographic-identification information.**
  - You should have this information from your current apprentices because it is contained in Section II, "Apprentice Registration," of ETA Form 671, the Program Registration and Apprenticeship Agreement, which apprentices filled out when they were enrolled.
  - It is voluntary for apprentices to provide this information.
- Set up a system for keeping records showing you completed Steps 1-4 above and, if you are required to have one, that you developed an Affirmative Action Program.**
  - Programs with 5 or more apprentices must develop an Affirmative Action Plan by two years after the program is first registered—learn more in JFF's [free training course](#).
- Set up a system for keeping records demonstrating apprentices' progress through your program, including each apprentice's:**



- Job assignments (in each component of the occupation).
  - Promotion/progression through the program.
  - Rates of pay and other forms of compensation.
  - Conditions of work.
  - Hours of work performed.
  - Hours of training provided and completed.
  - Performance assessments.
  - Completion of apprenticeship.
  - Any EEO complaints they may have filed or that might relate to them.
  - Requests for reasonable accommodation.
- Aside from the information requested in RAPIDS, you do not need to submit your records to the registration agency unless the agency requests them.**
- The agency generally requests records only if it is reviewing a program or investigating a complaint by an apprentice.
- Keep records for 5 years.**
- Collect and maintain information about the medical condition or history of an applicant or apprentice on separate forms and in separate medical files, and treat it as confidential (except that supervisors and managers may be informed about necessary restrictions on the work or duties of the applicant or apprentice and necessary accommodations). Maintain disability self-identification information in a data-analysis file (rather than in individual apprentices' medical files).**