



Know Your Rights:

The National Apprenticeship Act of 1937

The [National Apprenticeship Act](#) purpose is to protect the welfare of apprentices. The U.S. Department of Labor's Office of Apprenticeship (OA) administers the program. States can get approval from the OA to register their own apprenticeship programs after developing and submitting regulations that conform with the national regulations. Approximately half of all states administer their own programs with the rest administered directly by the OA.

What does the National Apprenticeship Act do?

The National Apprenticeship Act was passed to set labor standards designed to protect the welfare of apprentices. The Act has two sets of regulations: one that provides the framework for each registered apprenticeship program including curriculum and on the job training; and the other that sets the equal employment opportunity standards.

The first set of regulations, also known as Title 29, CFR Part 29, sets out the requirements, "Standards" for Sponsors (sometimes companies, and sometimes joint union and company councils) who want to develop apprenticeship programs. These standards include a written plan from the program sponsor that details the terms and conditions of employment, training, and supervision of apprentices. The Sponsor also has to include a plan to review and evaluate apprentices. In addition, Sponsors have to submit a specific ratio of apprentices to journey workers and clearly describe how the ratio is to be applied.

Included in this regulation is the stipulation that all apprentices must sign an apprenticeship agreement. A statement on the standards of apprenticeship has to be included "explicitly or by reference" in the agreement. This statement should detail:

- The allocation of on-the-job training hours by skill to be learned and approximately how many hours should be spent on each of these skills;
- An outline of what you will be learning during the related instruction time;
- The probationary period during which the apprenticeship agreement may be cancelled by either party and the conditions upon which the agreement can be cancelled thereafter; and
- The contact information of the appropriate authority designated to address any problems that can't be addressed through established procedures or applicable collective bargaining provisions.





The second set of regulations, known as Title 29, CFR Part 30 sets the policies and procedures to promote equal opportunity and prohibit discrimination based on race, color, religion, national origin, or sex in apprenticeship programs. The procedures apply to recruitment, selection and all conditions of employment and training and require that the Program Sponsor adopt an affirmative action plan, including goals and timetables, and take steps to provide equal opportunity. The affirmative action plans are registered and are considered in the overall approval of the apprenticeship program.

How is it enforced?

Registered Apprenticeship is administered through the US Department of Labor's Office of Apprenticeship in combination with State Apprenticeship Agencies. Approximately 25 states have chosen to develop their own regulations based on the federal regulations and register and oversee their own apprenticeship programs. The Office of Apprenticeship (OA) registers the other states as well as assisting and overseeing the State Apprenticeship Agencies (SAA). You can check who administers your state apprenticeship programs [here](#).

The OA and SAA are responsible for assuring that all programs provide high quality training and produce skilled workers. In the case of the Equal Opportunity Regulations (29.30) the OA and SAA will "regularly conduct systematic reviews...and will also conduct compliance reviews" (29.30.9)

What you need to know when filing a charge:

The complaint system is different for the standards (29.29) and equal opportunity. (29.30)

Complaints about supervision, on-the-job-training hours or any complaint that does not involve discrimination must first be addressed locally either through an established procedure at the apprenticeship school or through the procedure covered by the collective bargaining agreement. If the problem cannot be resolved through these procedures then the complaint can be submitted to the appropriate SAA or OA. Complaints must be submitted within **60 days** of the final local decision. The SAA or OA then has 90 days to resolve the complaint or render an opinion.

These complaint procedures should be provided to all apprentice applicants as well as all apprentices. If you do not have a copy of this or the standards of apprenticeship, try first to get one from an ally, your apprenticeship director, business agent and/or shop steward. If you cannot obtain a copy this way you can apply to the appropriate SAA or OA.



Discrimination complaints are treated differently. The complaint must be filed no later than **180 days** after the date of the incident. Apprentices, or their representative, can file the complaint with the appropriate OA or SAA. The complaint must be in writing and signed. If your RAP has a private review body for apprenticeship complaints, the OA or SAA may refer your complaint there, or you can choose to file your complaint with that body. If you want to refer the complaint out of that private body, you still must do it within the 180 days or 30 days from the review body's final decision. If the complaint is referred to the review body, the Department (the OA or SAA representative) will receive reports within 30 days. When a complaint has not been resolved within 90 days, or there is evidence that the equal opportunity practices are not following the regulations, the Department may conduct a compliance review and take the steps necessary to resolve the complaint. Please pay close attention to the dates as you may want to keep the option of filing the complaint with the EEOC, which must be done within 180 days of the incident.

The discrimination form can be found [here](#). Once you fill it out and sign it, you should mail it to your [State Apprenticeship Office](#). You may want to send it certified mail.

