



At-a-Glance: Reciprocal Approval Apprenticeship Final Rule, 29 CFR Part 29

How have the regulations addressed reciprocal approval?

As a precondition for recognition, the original regulations provided that apprenticeship programs and standards registered in a recognized state, except for those in the building and construction industry, would be accorded reciprocal registration or approval, upon request. Under revised § 29.13(b)(7) all registered programs are eligible for reciprocal approval, for Federal purposes, upon request. To ensure that out-of-state programs do not gain an undue advantage over host state programs when bidding on a contract, the final rule specifies that apprenticeship program sponsors seeking reciprocal approval must meet the wage and hour provisions and apprentice ratio standards of the reciprocal state.

How was this issue addressed in the original regulations?

As stated above, the regulations previously provided an exception to the reciprocity requirement to programs in the building and construction industries.

What is the reason for the change?

The previous exemption of building and construction industry programs was based on the belief that the seasonality of construction work could disrupt an apprentice's training and have an overall negative impact on the quality of construction industry apprenticeship programs. However, recent technological advances, especially the use of electronic media in the delivery of related technical instruction, now ensure consistency in instruction and the maintenance of high quality standards, regardless of geographic location or seasonal work patterns. Therefore, the exemption for building and construction programs and apprentices is no longer needed. This change benefits the National Apprenticeship System by providing greater flexibility for apprentices and program sponsors. For further information, please refer to pages 64419-64420 of the Federal Register Notice for the final rule (73 FR 64402, Oct. 29, 2008).

What are the next steps?

The revised regulations take effect December 29, 2008, 60 days after publication of the final rule in the Federal Register, and provide State Apprenticeship Agencies (SAAs) with two years, with extensions as needed, from the effective date to implement necessary changes.

The Office of Apprenticeship (OA) recognizes that when program sponsors and Registration Agencies implement the revised regulations, additional questions and issues may arise regarding reciprocal approval. If OA develops additional guidance or "Questions and Answers" regarding reciprocal approval, this information will be posted on the regulations page of OA's Web site, www.doleta.gov/oa/regulations.cfm.

For more information about the revised regulations, please contact OA at (202) 693-2796 or Regs.Apprenticeship@dol.gov.