

## SUPPORTING STATEMENT

### Title 29 CFR Part 29 -- Labor Standards for the Registration of Apprenticeship Programs OMB Control No. 1205-0223

The Department of Labor, Employment and Training Administration (ETA), is submitting this revised Information Collection Request (ICR) under OMB Control No. 1205-0223 for renewal. This ICR expires on January 31, 2020.

#### **A. Justification.**

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.*

Registered apprenticeship is a combination of on-the-job training and related technical instruction in which workers learn the practical and theoretical aspects of a highly-skilled occupation. Apprenticeship programs are sponsored voluntarily by individual employers, employer associations, or joint apprenticeship training committees that partner organized labor with employers.

The National Apprenticeship Act of 1937 authorizes the U.S. Department of Labor (Department) to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices. 29 U.S.C. 50. The statute is located at <http://www.doleta.gov/oa/history.cfm#amendments>. The standards, set forth at 29 Code of Federal Regulations (CFR) Parts 29, (part 29), Labor Standards for the Registration of Apprenticeship Programs, and 30, (part 30), Equal Employment Opportunity (EEO) in Apprenticeship are intended to provide for more uniform training of apprentices and to promote equal opportunity in apprenticeship.

The responsibility for formulating and promoting these labor standards lies with the Department's Employment and Training Administration's (ETA) Office of Apprenticeship (OA). As part of its duties, OA registers apprenticeship programs that meet certain minimum labor standards. Also, OA oversees the National Registered Apprenticeship System. Federal staff members are directly responsible for registering apprenticeship programs and apprentices in 24 States and providing technical assistance and oversight to 29 State Apprenticeship Agencies (SAAs). In these "SAA States/Territories," the SAA has voluntarily requested recognition from the Secretary of Labor to serve as the entity authorized to register and oversee State and local apprenticeship programs for Federal purposes. Therefore, in those 29 States/Territories, the SAA, in accordance with Federal regulations, has responsibility for registering apprenticeship programs and apprentices.

Part 29 implements the National Apprenticeship Act by setting forth labor standards that safeguard the welfare of apprentices by prescribing policies and procedures concerning the registration, cancellation, and deregistration of apprenticeship programs; the recognition of SAAs as Registration Agencies; and matters relating thereto. On October 29, 2008, the

Department published an amended part 29 to provide a framework that supports an enhanced, modernized apprenticeship system. 73 FR 64402. These regulations can be accessed on the Department's website at: <http://www.doleta.gov/oa/pdf/FinalRule29CFRPart29.pdf>.

Part 30 implements the National Apprenticeship Act by requiring registered apprenticeship program sponsors to provide equal opportunity for participation in their registered apprenticeship programs, and by protecting apprentices and applicants for apprenticeship from discrimination. In addition, Part 30 also requires that sponsors of registered apprenticeship programs take affirmative action efforts to ensure equal opportunity in such programs. Only an apprenticeship program or agreement that is in conformity with the requirements of the Department's regulations on Equal Employment Opportunity in Apprenticeship in part 30, is eligible for OA or SAA registration, § 29.3(b)(2). On December 19, 2016, the Department amended part 30 to help employers reach a larger and more diverse pool of workers, including women, minorities, and individuals with disabilities. 81 FR 92026. These regulations can be accessed at: [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title29/29cfr30\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title29/29cfr30_main_02.tpl).

2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.*

The information collected on the "Program Registration, Section I," and "Apprentice Registration, Section II," is in accordance with part 29.

For program registration, the sponsor will enter the information electronically (or manually) on the first two pages. The third, fourth, and fifth pages of ETA Form 671, Section I, consist of definitions and/or instructions to assist the sponsor in completing the instrument. The Apprentice and Training Representative (ATR) reviews this information for compliance before approving it for entry into the apprenticeship database, titled "Registered Apprenticeship Partners Information Data System (RAPIDS)." The ATR will periodically review the information, primarily, for changes to the information previously collected, e.g., active or inactive program and related technical instruction provider. This information needs to be collected to ensure that the program is in conformity with § 29.1(b) so that it can continue to be registered and the welfare of the apprentice is maintained.

The ATR is a Federal employee who promotes Registered Apprenticeship and assists management and labor in the development of training plans, standards, and programs which will have application throughout the industry or that portion of the industry concerned.

To register the apprentice, the sponsor will enter the information electronically (or manually) for Part A on the first page of Section II. For Part B, twelve fields will be repopulated electronically (or manually) from Program Registration, Section I, through RAPIDS.

Part 30 requires those sponsors who are required to maintain Affirmative Action Programs to invite applicants for apprenticeship to voluntarily self-identify as an individual with a disability. The invitation may be included with the application materials but must be separable or

detachable from the application for apprenticeship or ETA Form 671, Apprentice Registration, Section II and treated as confidential. Sponsors are required to extend this invitation to applicants and apprentices: (1) at the time the individual applies for or is considered for apprenticeship; and (2) after the individual is accepted into an apprenticeship program but before they begin their apprenticeship. Thereafter, sponsors would be required to remind apprentices yearly that they may voluntarily update their disability status, thereby allowing those who have subsequently become disabled or who did not wish to self-identify during the application and enrollment period to be counted. Part 30 also requires that self-identification must be provided to the Registration Agency upon request and that the information may only be used in accordance with the new regulation.

OA developed a separate tear-off sheet for the Section II of ETA Form 671, Apprenticeship Agreement, titled "Voluntary Disability Disclosure," to address the requirement for sponsors to invite the applicant/apprentice to voluntarily self-identify as disabled. Definitions and instructions on those data elements in Section II that are not self-explanatory are on pages 2-3. The ATR will review this information for compliance before approving it for entry into RAPIDS. The ATR will periodically review the information to ensure that the apprentice is receiving the appropriate training and to document all aspects of training agreed upon by the individual apprentice and the sponsor. If this information is not collected, there is no formal agreement or registration between the sponsor and the apprentice and, therefore, no formal apprenticeship program.

Title 29 CFR 29.5 requires sponsors to meet apprenticeship standards to have a registered apprenticeship program. These standards include the program delivery approach, an on-the-job training outline, the related instruction provider and delivery method, and Part 30 compliance. Standards are incorporated by reference in the Apprentice Registration, Section II, top right column, because the standards outline all the conditions for the recruitment, selection, employment, and training of apprentices agreed to in the Apprenticeship Agreement.

A summarization of the information collected in ETA Form 671 is used to respond to requests from Congress, public interest groups, the apprenticeship sponsor community, and the general public.

#### 29.13 Recognition of State Apprenticeship Agencies.

The National Apprenticeship Act calls for cooperation with SAAs engaged in formulation and development of standards of apprenticeship. Section 29.13 deals with the recognition of SAAs by the Department. Certain information must be submitted and reviewed to ensure the policy and procedures of States and territories conform to the minimum standards established by the regulations. The information is reviewed and analyzed to determine whether the SAA should be recognized as an SAA that may register apprenticeship programs for Federal purposes.

#### 29.14 Derecognition of State Apprenticeship Agencies.

Section 29.14(g), requiring the notification of all apprentices that recognition for Federal purposes has been withdrawn, serves to safeguard and protect their welfare. Such notification is

important so that the apprentices fully understand that all benefits to them of such Federal recognition will no longer exist, and they may act to protect their own interests.

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.*

ETA has implemented an electronic apprentice registration process consistent with the Government Paperwork Elimination Act and E-Government requirements. ETA also implemented an electronic program registration process through its case management system, RAPIDS. These are additional tools to assist sponsors and apprentices in the registration processes and improve data reporting capabilities. The ATR is available upon request to provide full technical assistance and services to those program sponsors and apprentices who do not have computer technology available.

Consideration has been given to the use of improved information technology to reduce the burden. National Guideline Standards and National Program Standards have been developed and new ones are continually being developed to provide for local adaptation merely by copying and/or modifying to the extent appropriate the standards which are now available electronically. OA has implemented a standards builder tool to streamline the registration process. The ATR will be available upon request to provide full technical assistance and services to those program sponsors who do not have computer technology available.

4. *Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

Recordkeeping and reporting requirements under part 29 are not duplicated elsewhere. Part 30 requires Part 29 procedures for SAA deregistration, rather than maintaining separate procedures under part 30. Part 30 also incorporates an exemption from the Affirmative Action Program requirements, including the requirement to invite applicants and apprentices to self-identify as an individual with a disability, for those sponsors who are already in compliance with an equal employment opportunity program approved as meeting other specified EEO laws. Therefore, sponsors who are already required to maintain self-identification data pursuant to another approved program would not be required to maintain duplicative information.

5. *If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.*

The information collected has a minimal impact on small businesses.

6. *Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

The registration of apprenticeship programs and apprentices is necessary to carry out the requirements of the National Apprenticeship Act. With the exception of the requirement that sponsors invite applicants and apprentices to voluntarily self-identify as an individual with disability, apprentice information is only submitted on a one-time basis and, therefore, the collection frequency cannot be further reduced.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner that implicates the special circumstances listed in regulations 5 CFR 1320.5(d)(2):*

The information is collected in a manner consistent with Paperwork Reduction Act requirements. Data collection and retention is consistent with 5 CFR 1320.5. The consequences of not requiring the data to be collected for OMB Control No. 1205-0223 is discussed in Item 1, above. However, a records retention requirement of five years is necessary. The duration of many apprenticeship programs is four years or more, and it is important to keep the records for a period of time after an apprentice has exited the program.

8. *If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

*Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.*

*Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years—even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.*

In accordance with the Paperwork Reduction Act of 1995, the public was given 60 days to comment on the *Federal Register* notice, which published on October 21, 2019 (84 FR 56203). The comment period ended on December 20, 2019. The Department received no public comments in response to the notice.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.*

This information collection does not involve payments to respondents.

10. *Describe any assurance of confidentiality provided to respondents and the basis for the*

*assurance in statute, regulation, or agency policy.*

The Privacy Act Statement is provided in ETA Form 671, Apprenticeship Agreement, Section II.<sup>1</sup> The section provides for voluntary disclosure of the Social Security number (SSN). Providing the SSN facilitates accurate, consistent, and uniform retention and wage data from the Unemployment Insurance Wage Records via the Wage Record Interchange System. This information is used to determine OA's program performance outcomes of retention and wage gains related to the common measure of Federal job training and employment programs of ETA. Also included is a statement that informs the apprentice where the information he/she has provided on the collection instrument is stored, the name and location of the system, and the disclosure that the information is protected in accordance with the Privacy Act.

To minimize privacy concerns and the possibility of misuse of disability-related information, the Department requires that the invitation ask only for self-identification as to the existence of a "disability," not as to the general nature or type of disability the individual has, or the nature or severity of any limitations the individual has a result of their disability. Under part 30, any information obtained pursuant to part 30 regarding the medical condition or history of an applicant or apprentice must be collected and maintained on separate forms and in separate medical files and treated as a confidential medical record, except that: supervisors and managers may be informed regarding necessary restrictions on the work or duties of the applicant or apprentice and necessary accommodations; First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and Government officials engaged in enforcing this part, the laws administered by Office of Federal Contract Compliance Programs, or the Americans with Disabilities Act, must be provided relevant information upon request. Information obtained under companion regulation, part 30, regarding the medical condition or history of any applicant or apprentice may not be used for any purpose inconsistent with Office of Management and Budget Control No. 1205-0224.

11. *Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

Sponsors are required to invite each applicant or apprentice to voluntarily identify as an individual with a disability as part of their Affirmative Action Programs in order to document how many apprentices and applicants identifying as individuals with disabilities are applying to and being accepted into the program. This information will allow sponsors and the Department

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<sup>1</sup> Privacy Act of 1974; Publication in Full of All Notices of Systems of Records, Including Several New Systems, Substantive Amendments to Existing Systems, Decommissioning of Obsolete Legacy Systems, and Publication of Proposed Routines Uses, Federal Register Notice, 4/29/2016, Page 25766.

(<https://www.federalregister.gov/documents/2016/04/29/2016-09510/privacy-act-of-1974-publication-in-full-of-all-notices-of-systems-of-records-including-several-new>)

to better identify, monitor, and evaluate sponsors' recruitment and employment practices with respect to individuals with disabilities. Any information regarding the medical condition or history of an applicant or apprentice must be collected and maintained on separate forms and in separate medical files and treated as a confidential medical record.

12. *Provide estimates of the hour burden of the collection of information.*

#### Description of the information collection instrument, ETA Form 671

This form has two sections: Section I for the sponsor's information and Section II for the apprentice's information. These two separate sections are used at different times, for different purposes, and with different individuals or entities. The information is not duplicative. Twelve fields will be repopulated electronically from the Program Registration in Section I through RAPIDS to Section II, Part B. A tear-off sheet was added to this form that addresses the sponsor's invitation to the applicant/apprentice to voluntarily self-identify as disabled. Apprentice information is only submitted on a one-time basis, except when sponsors invite applicants and apprentices to voluntarily self-identify as an individual with a disability.

The ATR is available on request to provide technical assistance and services to those sponsors and apprentices who do not have computer technology available.

#### Program Registration, Section I

The primary headings in the ETA Form 671 Program Registration, Section I, are: Program Sponsor Information, Program Sponsor's Related Contact Information, Journeyworkers Employed, Related Technical Instruction (RTI) Information, RTI Source Information, Program Sponsor Signature, ATR Information, Program Registration Information, and ATR Signature.

Much of the information collected under these headings is routine information such as identification of the entities, their addresses, telephone numbers, e-mail addresses, fax numbers, and website addresses. However, non-routine information is requested under Program Sponsor Information, Journeyworkers Employed, Related Technical Instruction (RTI) Information, RTI Source Information, Program Sponsor Signature, and Program Registration Information. Definitions and Instructions are also included on pages 3-5. The information is collected on an occasional basis, but not more than once a year.

There are no modifications to Section I. The estimated average response time is 30 minutes per response to reflect the time necessary for a program sponsor to gather information to complete this section.

#### Apprentice Registration, Section II

There are three parts (A, B, and C) to the Apprentice Registration, Section II, of ETA Form 671: Part A. (To Be Completed by the Apprentice): Apprentice name, Social Security Number, Address, voluntary selection of Ethnicity and Race, Veteran Status, Education Level,

Employment Status, Career Connection, and Apprentice and Parent/Guardian's signature (if a minor) and Date.

Part B. Consists of the identification of the Sponsor (Sponsor's Program Number, Name and Address), Occupational Information related to the Apprentice (Occupation identification, Occupational Code, Interim Credentials if applicable, Occupation Training Approach, Apprenticeship Term, Probationary Period, Credit for Previous Experience, Apprenticeship Term Remaining, Date Apprenticeship Begins, Related Instruction (Hours per Year, if Wages Will Be Paid for Taking Related Instruction, Related Instruction Source), Wages (Before Registered as Apprentice, Apprentice Entry Hourly Wage, Journeyworker's Hourly Wage), 10 Periods of Apprenticeship Term (Hours, Months, or Years for Each Period and the Wage Rate as a percent or in dollars for each Period), Signature and Date of Sponsor's Representative, and Name and Address of Sponsor's Designee to Receive Complaints.

Except for the part 30 requirement for sponsors to invite applicants and apprentices to voluntarily self-identify as an individual with disability, apprentice information is only submitted on a one-time basis and, therefore, the collection frequency cannot be further reduced.

Part C. (To be Completed by the Registration Agency): the Identification of the Registration Agency, Signature of Representative of Registration Agency, Date Registration Agency Registered the Apprentice, and Apprentice Identification Number.

Tear-off Sheet. (Voluntary Disability Disclosure): Sponsor's Invitation to Applicant/Apprentice to Self-Identify as Disabled.

The estimated average response time remains at five minutes per response.

The following sections of the regulation contain information collection requirements subject to the Paperwork Reduction Act:

- Section 29.3(a) of Section 29.3 (a)-(k) is the overarching or dominant element of this Section. It is important because a program is eligible for various Federal purposes only if it is in conformity with apprenticeship program standards published by the Secretary of Labor and if the program is registered with the OA, or a recognized SAA.
- Section 29.3(b)(1) provides for the registration of the program and apprentice. Program registration not only assures industry consistency relative to the skills sets of the apprenticeable occupation and the related technical instruction, it also protects the welfare of the apprentices because of this consistency and uniformity.
- Section 29.3(b)(2) is necessary to safeguard the welfare of apprentices to ensure that the program is providing equal employment opportunities. If the information under 29.3 (b) (2) were not collected, there would be no formal agreement or registration between the sponsor and OA or the SAA and there would, therefore, not be a formal apprenticeship program.



- Section 29.3(c)(1) provides for the registration of apprentices to assure the individuals receive the proper agreed upon skilled training and to make possible the granting of recognition to the individuals for the training received.
- Section 29.3(c)(2) allows for the filing of a list of apprentices rather than individual agreements.
- Section 29.3(d) is necessary where a list is used to permit certification that a specific employee is eligible for probationary employment.
- Section 29.3(e) is necessary to safeguard the welfare of apprentices to ensure that they have not been terminated unjustly, to acknowledge transfers or shifts of apprentice registration, to provide a check for the quality of the program, and to appropriately recognize those that complete the training program.
- Section 29.3(g) and (h) provides for the provisional approval, permanent registration, and subsequent reviews of programs to ensure conformity to the regulations. It also protects the welfare of the apprentices by ensuring the quality of the programs.
- Section 29.3(i) ensures that program modifications do not adversely affect apprentices from receiving proper training in accordance with agreed upon standards and that programs include up-to-date technology so that apprentices receive training current for their occupation.
- Section 29.3(j) is important because the Act calls for bringing together employers and labor for the formulation of programs of apprenticeship, and it is necessary to ascertain that all appropriate parties are properly involved in the training. This requirement also serves to protect the welfare of the apprentice by ensuring proper representation of employees in training matters.
- Section 29.3(k) is necessary to ensure that programs proposed by an employer or groups of employers have the same opportunity for program registration as those proposed programs with collective bargaining agents. It is necessary to ascertain that all employers are properly involved in the training. It also safeguards the welfare of the apprentice by increasing the choices of program selection by an apprentice.

### 29.5 Standards of Apprenticeship.

This section describes those standards appropriate and necessary to ensure that apprentices receive the proper training for their skilled apprenticeable occupations. See part 29, for a listing of those standards at <http://www.doleta.gov/oa/pdf/FinalRule29CFRPart29.pdf>, pp. 64428-64429. Program sponsors must be fully aware of and agree to meet these standards.

### 29.7 Apprenticeship Agreement.

Section 29.7 provides for specific information necessary to protect the welfare of apprentices and ensure proper wages and training (on-the-job and related instruction), various work processes are provided, proper probationary periods are permitted, and equal employment opportunity is ensured.

#### 29.13 Recognition of State Apprenticeship Agencies.

(a)(1)-(5); (b)(1)-(9); (c); (d); (e)(1)-(4).

The National Apprenticeship Act calls for cooperation with SAAs engaged in formulation and development of standards of apprenticeship. Section 29.13 deals with the recognition of the State agency by the Secretary of Labor for Federal purposes. Certain information needs to be submitted to and approved by OA for continued recognition. This section also contains provisions for SAAs to request recognition withdrawal, OA's retention of authority, and program registration with OA.

#### 29.14 Derecognition of State Apprenticeship Agencies.

Section 29.14(g) requires the notification of all apprentices that recognition for Federal purposes has been withdrawn.

#### 29.3 and 29.6

The FY 2018 RAPIDS database indicates there are approximately 23,441 registered apprenticeship programs. Based on this fiscal yearly data, 1,539 new programs were registered in RAPIDS, while 1,690 programs were registered outside of RAPIDS. The average response time for new program registrations with OA is 30 minutes for Program Registration, Section I. The total annual burden is 770 burden hours (1,539 x .50). Information on Program Registration, Section I, is reviewed periodically but not more than once on a yearly basis. The annual respondent cost is \$28,151 (770 hours x \$36.56\*). (NOTE: The Federal wage rate is used for this calculation because the majority of data entered into RAPIDS is done by Federal OA staff.)

\* According to the Department's Bureau of Labor Statistics (BLS), the estimated mean hourly wage for an Administrative Assistant (43-6014) in the private sector in May 2018 was \$18.28 (source: <http://www.bls.gov/oes/current/oes436014.htm>). Based on data from BLS's "Employer Costs for Employee Compensation" release (<https://www.bls.gov/ect>), the percentage of an employee's total compensation package that consisted of employee benefits averaged 46% over the past year. In addition, total related overhead costs are estimated to comprise an additional 54% of the applicable base wage (source: Guidelines for Regulatory Impact Analysis, 2016, published by the U.S. Department of Health and Human Services, at the following website: [https://aspe.hhs.gov/system/files/pdf/242926/HHS\\_RIAGuidance.pdf](https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf)). Accordingly, the total hourly compensation rate for an Administrative Assistant (adjusted to include employee benefits and overhead costs) is estimated to be \$36.56 (= \$18.28 hourly base wage + \$8.41 in employee benefits + \$9.87 in overhead costs).

Experience has shown that each sponsor responds at least yearly with information on new apprentices and completions. According to the FY 2018 RAPIDS data, about 238,549 new apprentices were registered and about 71,789 completions were recorded nationwide. In calculating the estimates, OA used RAPIDS data. In FY 2018, 135,472 new apprentices were registered in RAPIDS, and 103,077 new apprentices were registered outside of RAPIDS. In FY 2018, 40,811 apprentice completions occurred in RAPIDS. The average response time is 5 minutes for new apprentice registrations and completions, resulting in: 11,244 hours (135,472 x 0.083 hours), and 3,387 hours (40,811 x 0.083 hours), respectively.

The annual respondent cost is \$ 411,081(11,244 hrs. x \$36.56) and \$123,829 (3,387 hrs. x \$36.56), respectively.

## 29.5

Part 29 established that the relationship between the Federal Government must be between two government entities (i.e., Department of Labor and the cabinet-level government agency in each State's government that operates and manages the functions of registered apprenticeship in that State (i.e., SAAs)).

The SAAs have been delegated the responsibility by the Secretary of Labor to review/update the standards (see § 29.13 below); thus, the State staff perform similar functions as the Federal ATRs of OA, following the process that meets the minimum requirements in § 29.5.

Approximately 1,567 programs were registered by SAAs in FY 2018. Experience indicates this takes two hours per sponsor which results in 3,134 annual burden hours (1,567 x 2 hours). With State employees hourly wage of \$63.02\*\*, the annualized cost to the registration agency is \$197,505 (3,134 hrs. x \$63.02).

\*\* According to the Department's Bureau of Labor Statistics (BLS), the estimated mean hourly wage for a State Government Management/Program Analyst (13-1111) in May 2018 was \$31.51 (source: <http://www.bls.gov/oes/current/999201.htm>). Based on data from BLS's "Employer Costs for Employee Compensation" release (<https://www.bls.gov/ect>), the percentage of an employee's total compensation package that consisted of employee benefits averaged 46% over the past year. In addition, total related overhead costs are estimated to comprise an additional 54% of the applicable base wage (source: Guidelines for Regulatory Impact Analysis, 2016, published by the U.S. Department of Health and Human Services, at the following website: [https://aspe.hhs.gov/system/files/pdf/242926/HHS\\_RIAGuidance.pdf](https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf)). Accordingly, the total hourly compensation rate for a State Government Management/Program Analyst (adjusted to include employee benefits and overhead costs) is estimated to be \$63.02 (= \$31.51 hourly base wage + \$14.49 in employee benefits + \$17.02 in overhead costs).

## 29.13

All 29 SAAs have been recognized or (have continued recognition status) as SAAs for Federal purposes. States seeking new or continued recognition must submit information including the State apprenticeship law; the establishment and continued use of a State Apprenticeship Council, including its composition and representation; the State Plan for Equal Employment Opportunity

that conforms to the requirements published in part 30; the submission and description of the basic standards, criteria, and requirements for program registration and/or approval; and a description of policies and operating procedures.

To submit information to OA for recognition purposes, the state reviews instructions, searches existing data sources, gathers and maintains the data needed, and completes and reviews the collection of information required. The average annual burden for all 29 SAAs is 58 hours (29 SAAs x 2 hours per response) and the estimated cost is \$3,655.16 (29 SAAs x 2 hours x \$63.02). This cost is limited to the submission of the information and assumes that the State, in its own desire to have an apprenticeship agency, has already taken all the necessary actions and prepared all the required documents for the conduct of its own apprenticeship program.

#### 29.14 (g)

No SAA has been derecognized since 2012. Under this section, the State is required to notify registered apprentices of the withdrawal of recognition for Federal purposes in the event the State did not become what is known as Federal registration state. A placeholder of one burden hour is included in the table below.

#### Voluntary Disability Disclosure

The Department's ETA Form 671, the Apprenticeship Agreement, provides for the collection of information, on a voluntary basis, of an applicant or apprentice's disability status. Such information is to be collected on a separate tear-off sheet that will be maintained separately from the Apprenticeship Agreement and treated as confidential.

Part 30 requires sponsors to invite applicants for apprenticeship to voluntarily self-identify as an individual with a disability. The invitation may be included with the application materials but must be separable or detachable from the application for apprenticeship or ETA Form 671, Apprentice Registration, Section II and treated as confidential. Sponsors are required to extend this invitation to applicants and apprentices: (1) at the time the individual applies for or is considered for apprenticeship; and (2) after the individual is accepted into an apprenticeship program but before they begin their apprenticeship. Thereafter, sponsors would be required to remind apprentices yearly that they may voluntarily update their disability status, thereby allowing those who have subsequently become disabled or who did not wish to self-identify during the application and enrollment period to be counted.

This invitation process to disclose a disability is estimated to take 5 minutes per participant. The estimated number of new apprentices is 135,472 per year. As such, the burden to collect voluntary disability disclosure is estimated to be 11,244 hours per year (135,472 x 0.083 hours) and a cost of \$411,081 (11,244 hrs. x \$36.56).

#### Recordkeeping Requirement

Sponsors are required to keep accurate records on the qualifications of each applicant as required by the registration agency, while SAAs are required to keep accurate records on each

apprenticeship program. As noted above, these records are required to be maintained for a period of five years.

Sponsor Annual Burden: 2,168 hours

Sponsors should maintain accurate records on each applicant and apprentice in an apprenticeship program. Compliance with this recordkeeping requirement is estimated at 1 minute per program sponsor.

The annual burden is equal to 2,168 hours (1,539 x 0.016 hours).

SAA Annual Burden: 392 hours

SAs should maintain accurate records on each apprenticeship program's standards. Compliance with this recordkeeping requirement is estimated at 15 minutes per SAA. This includes maintaining records relating to information relative to the operation of the apprenticeship program.

The annual burden is equal to 392 hours (1,567 x 0.25 hours).

*The following table can be used as a guide to calculate the total burden of an information collection.*

Estimated Annualized Respondent Hour and Cost Burdens for 29 CFR Part 29

ETA Form 671	Type of Respondent	Number of Respondents	Annual Frequency	Total Annual Response	Time Per Response (Hours)	Total Annual Burden (Hours)	Hourly Rate	Monetized Value of Respondent Time
Section I 29.3	Sponsor	1,539	1	1,539	.50	770	\$36.56	\$28,151
<b>Unduplicated Total</b>	-	<b>1,539</b>	-	<b>1,539</b>	-	<b>770</b>	-	-
Section II 29.3	Apprentice	135,472	1	135,472	.083	11,244	\$36.56	\$411,081
<b>Unduplicated Total</b>	-	<b>135,472</b>	-	<b>135,472</b>	-	<b>11,244</b>	-	-
Section II 29.6	Apprentice	40,811	1	40,811	.083	3,387	\$36.56	\$123,829

<b>Unduplicated Total</b>	-	<b>40,811</b>	-	<b>40,811</b>	-	<b>3,387</b>	-	-
Section II 29.5	SAA	1,567	1	1,567	2	3,134	\$63.02	\$197,505
Section II 29.13	SAA	29	1	29	2	58	\$63.02	\$3,655
Section II 29.14	SAA	1	1	1	1	1	\$63.02	\$63.02
<b>Unduplicated Total</b>	-	<b>1,597</b>	-	<b>1597</b>	-	<b>3,193</b>	-	-
Disability Disclosure	Apprentice	135,472	1	135,472	.083	11,244	\$36.56	\$411,081
<b>Unduplicated Total</b>	-	<b>135,472</b>	-	<b>135,472</b>	-	<b>11,244</b>	-	-
Recordkeeping	Sponsor	1,539	1	135,472	.016	2,169	\$36.56	\$79,262
<b>Unduplicated Total</b>	-	<b>1,539</b>	-	<b>135,472</b>	-	<b>2,169</b>	-	-
Recordkeeping	SAA	29	1	1,567	0.25	392	\$63.02	\$24,704
<b>Unduplicated Total</b>	-	<b>29</b>	-	<b>1,567</b>	-	<b>392</b>	-	-
<b>Totals</b>	-	<b>316,459</b>	-	<b>451,930</b>	--	<b>32,399</b>	--	<b>\$1,279,331</b>

Data sources: [https://doleta.gov/oa/data\\_statistics.cfm](https://doleta.gov/oa/data_statistics.cfm) and RAPIDS ( <https://dol.appiancloud.com/suite/>)

13. *Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.*

There are no additional costs.

14. *Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.*

The burden to the Federal Government is based on the GS-12, Step 5 Federal government compensation of \$101 per hour for ATR Federal staff is primarily for reviewing the materials submitted by the sponsors, inputting data in the database, and returning copies to sponsors and other partners, as appropriate. The ATR's basic hourly rate is \$45.29 per hour in the Washington, D.C., locality area in 2019 (see [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB_h.pdf)). Based on the most recent data available from the Congressional Budget Office (CBO), the Department estimates that the percentage of Federal employees' total compensation that consists of employee benefits is 69% (see [www.cbo.gov/publications/52637](http://www.cbo.gov/publications/52637)). In addition, total related overhead costs are estimated to comprise an additional 54% of the applicable base wage (source: Guidelines for Regulatory

Impact Analysis, 2016, published by the U.S. Department of Health and Human Services, at the following website: [https://aspe.hhs.gov/system/files/pdf/242926/HHS\\_RIAGuidance.pdf](https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf)). Accordingly, the total hourly compensation rate for an ATR (adjusted to include employee benefits and overhead costs) is estimated to be \$101 per hour (= \$45.29 hourly base wage + \$31.25 in employee benefits + \$24.46 in overhead costs).

For new apprenticeship program electronic registrations, the process is estimated to take 30 minutes. 1,539 programs were registered in RAPIDS in FY 2018. The annualized cost to the Federal Government for new program registrations is \$77,770 [770 hours (1,539 x .50 hours) x \$101]. Estimated annualized cost per program registration is \$50.53 (\$77,770 divided by 1,539).

For new apprenticeship agreements, the process is estimated to take five minutes. The annualized cost to the Federal Government for new apprentice registrations is \$1,135,662 [11,244 hours (135,472 x 0.083 hours) x \$101]. Estimated annualized cost per apprentice is \$8.38 (\$1,135,662 divided by 135,472).

Also, it is estimated that it takes about five minutes per completion to process approximately 40,811 completions per year. Thus the total annualized cost to the Federal Government is \$342,087 [3,387 (40,811 x 0.083 hours) x \$101]. The estimated annualized cost per apprentice completions is \$8.38 (\$342,087 divided by 40,811). The total annualized cost for all apprentice-related actions is \$1,508,857 (\$31,108 + \$1,135,662 + \$342,087).

Approximately, 1,539 new programs are registered in RAPIDS each year, the majority of which use previously developed apprenticeship standards. The burden upon the Federal government consists mostly of reviewing apprenticeship standards, and modifying as necessary. The cost to the Federal Government is approximately \$310,878 [3,078 (1,539 x 2 hours) x \$101].

<u>Type of Action</u>	<u>Total Cost</u>
Apprentice-Related Actions	\$1,508,857
New Program Registration	\$310,878
Total	\$1,819,735

15. *Explain the reasons for any program changes or adjustments reported on the burden worksheet.*

The annual burden for this information collection increased from 22,158 hours to 32,399 hours resulting in an increase of 10,241 hours over ETA's previous estimate, which OMB approved until January 31, 2020. The burden hours have increased due to an increase in the total number of responses (i.e., apprentice and program counts). The number of responses has increased by 212,210 (from 239,720 to 451,930). This increase in burden hours provides a more precise assessment of the time it takes sponsors to develop program standards.

The revisions to the information collection consists of (1) minor edits for clarity; (2) an update to the Office of Apprenticeship's room number; (3) an update to the education level categories in Section II so that it more closely aligns with the educational categories the U.S. Census uses to

obtain information; (4) an update to the field in Part B, 10a from “pre-apprenticeship hourly wage” to “prior hourly wage” to ensure that the earnings of a participant prior to beginning an apprenticeship is captured regardless of whether he or she participated in a pre-apprenticeship program; (5) deletion of the designation of a name and address of the Sponsor designee to receive complaints as optional; (6) and an update to the citation in Section II (Voluntary Disability Disclosure) to reflect the requirement that sponsors must invite apprentices and applicants to voluntarily self-identify whether or not they have a disability as required under part 30.

16. *For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other action.*

Summary information is used to respond to requests from senior management, Congress, public interest groups, the apprenticeship sponsor community, and the general public.

17. *If seeking approval not to display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.*

The expiration date is displayed on the information collection associated with this ICR. Accordingly, ETA is not requesting a waiver for the display of the expiration date.

18. *Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions,”*

There are no exceptions to the certification statement.

## **B. Collections of Information Employing Statistical Methods**

This information collection does not employ statistical methods.