



# ApprenticeshipUSA

## FACTSHEET

[www.dol.gov/apprenticeship](http://www.dol.gov/apprenticeship)

## Equal Opportunity in Apprenticeship for People with Disabilities

### Background

Apprenticeship is a ticket to the middle class. It is a proven training model that helps individuals develop the skills for a career, not just a job. The U.S. Department of Labor's Office of Apprenticeship (OA) promotes Registered Apprenticeship opportunities and maintains the labor standards necessary to safeguard the welfare of apprentices. By updating its Equal Employment Opportunity (EEO) regulations for Registered Apprenticeship programs, the Department is streamlining guidance for employers and other apprenticeship sponsors to help them attract a large and diverse applicant pool that includes individuals with disabilities. The Final Rule provides new EEO protections and affirmative action for individuals with disabilities.

According to the Bureau of Labor Statistics (BLS) in 2015, only 17.5 percent of persons with a disability were employed. In contrast, the employment-population ratio for those without a disability was 65.0 percent. Registered Apprenticeship, with its mentoring and on-the-job training components, can be a highly successful strategy to recruit, train, and retain individuals with disabilities in both traditional and other high-growth industries. This final rule builds upon the success of Registered Apprenticeship and promotes the employment of individuals with disabilities by ensuring equal opportunity in apprenticeship.

### Key Provisions for Individuals with Disabilities

This final rule helps individuals with disabilities succeed in Registered Apprenticeship programs by providing employers and other sponsors with the necessary tools to promote inclusion.

#### Nondiscrimination

Current rules have long provided that employers cannot discriminate on the basis of race, color, religion, national origin and sex. The final rule extends protection from discrimination in Registered Apprenticeship to individuals with disabilities, which reflects the current state of EEO law. This protection includes the obligation to provide reasonable accommodations to apprentices with disabilities.

#### Affirmative Action

Current rules have long required sponsors to take affirmative action efforts to ensure equal opportunity in apprenticeships. The final rule clarifies affirmative action efforts for sponsors with five or more apprentices to recruit, train, and retain a diverse workforce. It also establishes, consistent with OFCCP's revised Section 503 regulations, a national goal for these sponsors to employ qualified individuals with disabilities as apprentices at a rate of seven percent. This utilization goal applies to each major occupation group within which the sponsor has an apprenticeship program. This goal represents the Department's best estimate as to the percentage of the civilian labor force that has a disability, taking into account discouraged workers. To meet the goal of recruiting a diverse workforce that reflects the population, sponsors must review personnel processes and engage in targeted outreach and recruitment initiatives if they find that problem areas exist in their programs that are creating impediments to equal opportunity for individuals with disabilities.

## Self-Identification

Under the final rule, sponsors with five or more apprentices must present opportunities for individuals to voluntarily self-identify as an individual with a disability: (1) Pre-Offer (at the time they apply or are considered for apprenticeship) and (2) Post-Offer (after they are accepted into the apprenticeship program but before they begin their apprenticeship). Sponsors are also required to remind their apprentices annually that they may voluntarily update their disability status at any time. In addition, within two years from the final rule’s effective date, sponsors, on a one time basis, must invite each of their current apprentices to voluntarily self-identify as an individual with a disability. This self-identification is confidential and separate from application considerations.

## Filing a complaint

If an apprentice or applicant has been discriminated against on the basis of his or her disability, he or she can file a written complaint with the Registration Agency with which the apprenticeship program is registered. Sponsors must provide written notice to all applicants for apprenticeship and all apprentices of their right to file a discrimination complaint and the contact information and procedures for doing so.

## Technical Assistance Needs

The U.S. Department of Labor is committed to meeting the technical assistance needs of employers and other sponsors working to promote equal opportunity under this final rule.

- OA will provide guidance on the language for sponsors to use when offering opportunities for individuals with disabilities to voluntarily self-identify.
- Employers and other sponsors of Registered Apprenticeship programs train a range of talented apprentices. In some cases, these apprentices need reasonable accommodations to perform their jobs and maximize their productivity. The Job Accommodation Network (JAN) offers information and resources on accommodations, including free consultations. 58% of accommodations are free, and the rest are low-cost at around \$500. Visit: <https://askjan.org>.
- Employers and other sponsors pursuing targeted outreach and recruitment efforts that include individuals with disabilities may consider outlets such as State and Local Workforce Boards, State Vocational Rehabilitation Agencies, Independent Living Centers, Social Security Administration



Employment Networks, national and local disability advocacy organizations, parent information centers, special education transition programs, and postsecondary disability services offices.

- The U.S. Department of Labor’s Office of Disability Employment Policy (ODEP) promotes inclusive apprenticeship models that fulfill employer needs by attracting a diverse array of candidates, including individuals with disabilities. ODEP influences national and state policies and provides effective practices and technical assistance, including through a toolkit entitled “Youth with Disabilities Entering the Workplace through Apprenticeship.” Visit: <https://www.dol.gov/odep/topics/youth/apprenticeship.htm>.
- OA has provided support to diversify apprenticeship through the 2015 American Apprenticeship Initiative Grant that supports Registered Apprenticeship programs with a focus on including underrepresented populations, including women, minorities, veterans and individuals with disabilities. Visit: <https://www.dol.gov/featured/apprenticeship/grants>.
- OA will invest additional funds for opportunity partnerships that will focus on assisting more women, individuals with disabilities, and minorities to enter into skill-building opportunities through Registered Apprenticeship – to be announced in fall of 2016. [www.dol.gov/apprenticeship](http://www.dol.gov/apprenticeship).