

U.S. Department of Labor Employment and Training Administration Office of Apprenticeship (OA) Washington, D.C. 20210	Distribution: A-541 Hdqtrs A-544 All Field Tech A-547 SD+RD+SAA+; Lab.Com	Subject: Transfer of An Apprentice Code: 400
Symbols: DSNIP/FDK		Action: Immediate

PURPOSE: To inform Office of Apprenticeship (OA), State Apprenticeship Agency (SAA) staff, Registered Apprenticeship Program Sponsors and other Registered Apprenticeship Partners of the procedure for transfer of an Apprentice between apprenticeship programs and within an apprenticeship program, as provided in § 29.5 of revised Title 29, Code of Federal Regulations (CFR) Part 29, Labor Standards for Registration of Apprenticeship Programs.

BACKGROUND: The U.S. Department of Labor’s Employment and Training Administration issued a final rule that updates Title 29, CFR Part 29 on October 29, 2008. The rule became effective on December 29, 2008.

Section 29.5(b)(13), Transfer of Training Obligations, was revised to provide increased flexibility for an apprentice to continue his or her apprenticeship.

Revised 29 CFR § 29.5(b)(13) states:

The transfer of an apprentice between apprenticeship programs and within an apprenticeship program must be based on an agreement between the apprentice and the affected apprenticeship committees or program sponsors, and must comply with the following requirements:

- (i) The transferring apprentice must be provided a transcript of related instruction and on-the-job learning by the committee or program sponsor;
- (ii) Transfer must be to the same occupation; and
- (iii) A new apprenticeship agreement must be executed when the transfer occurs between program sponsors.

An apprentice may be transferred to provide continuous employment and to assure the apprentice more complete on-the-job learning experience in all aspects of the occupation. Transfers can occur from state to state.

Once all three parties are in agreement:

- The sponsor will ensure that each transferred apprentice is issued a transcript of training.
- The sponsor will send a copy of the transcript to the Registered Apprenticeship Field Staff and the receiving sponsor and the apprentice.
- The transcript will contain the accomplishments, credits and hours of training received under the program (see attached example).

A transferred apprentice must be evaluated and given full credit for previous experience.

A registered apprentice who has completed the probationary period set by the apprenticeship program and who is subsequently transferred from one employer within the same program cannot be required to undergo a new probationary period. If an apprentice has not completed the probationary period then he/she will only need to complete the probationary hours that are left. For example, if the probationary period is six (6) months and the apprentice has only completed four (4) months before being transferred then he/she will only need to complete the two (2) months that are left.

However, where the apprentice is entering into a new apprenticeship agreement and is dealing with a new committee or program sponsor, an additional probationary period could be required. Apprentices should not be transferred repeatedly between programs and subjected to additional probationary periods, such that the apprentices are unjustifiably hindered in their progression to journeyworker certification. OA will monitor and rectify any use of probation that does not safeguard the welfare of an apprentice.

If you have any questions please contact Franchella Kendall, Chief of the Division of Standards and National Industry Promotion (DSNIP), at 202-693-3813.

ACTION: OA and SAA staff should familiarize themselves with the attached bulletin and all attachments.

NOTE: This bulletin is being sent via electronic mail.

Bulletin 2010-18 Attachment – OJL – ([PDF](#))

Bulletin 2010-18 Attachment – Transcript – ([PDF](#))