



DIVISION OF CAREER AND ADULT EDUCATION
BUREAU OF STANDARDS, BENCHMARKS AND FRAMEWORKS
APPRENTICESHIP SECTION

Apprenticeship Section: Administrative Procedures

SUBJECT: Clarification for the responsibilities of the Florida Department of Education, Apprenticeship Section related to U.S. Department of Labor National Guideline Standards and National Program Standards.

PURPOSE: To provide guidance and clarification related to Apprenticeship and Training Representative (ATR), staff and support personnel responsibilities when dealing with U.S. Department of Labor National Guideline Standards and National Program Standards.

APPLICABILITY: This guideline applies to all regional ATR's, staff and support personnel, and program sponsors with U.S. Department of Labor National Guideline Standards and National Program Standards.

EFFECTIVE DATE: Upon Issuance

EXPIRATION DATE: Until superseded or rescinded

DEFINITIONS:

National Guideline Standards (NGS) – are standards of apprenticeship developed by national committees or organizations, joint or unilateral, and are “Certified” by the U.S. Department of Labor’s Office of Apprenticeship. The OA Administrator, based on consultation with the OA, Division of Standards and National Industry Promotion (DSNIP), signs the documentation necessary to “certify:” the National Guideline Standards as substantially conforming to the requirements of Title 29, Code of Federal Regulations (CFR) parts 29 and 30.

National Program Standards (NPS) – are standards of apprenticeship developed and “Registered” for multi-state programs. Such registration is for Federal purposes and is approved for each State covered by the National Program Standards. Apprentices are registered into these National Program Standards. The National OA is the Registration Agency for National Programs (DSNIP). These programs are serviced by the OA’s DSNIP. Additionally, Title 29 CFR part 29.13(b)(7) requires SAA’s to “Accord reciprocal approval for Federal purposes to apprentices, apprenticeship programs and standards that are registered in other States by the Office of Apprenticeship or a Registration Agency if such reciprocity is requested by the apprenticeship program sponsor. Program sponsors

seeking reciprocal approval must meet the wage and hour provisions and apprentice ratio standards of the reciprocal State.”

ADMINISTRATIVE PROCEDURES:

National Guideline Standards:

All National Guideline Standards (NGS), certified with the U.S. Department of Labor, Office of Apprenticeship, will be handled in the same manner as registering an apprenticeship program with the Florida Department of Education.

The U.S. Department of Labor, Office of Apprenticeship certify NGS’s for entities that traverse across multiple states. National Guideline Standards are considered “templates”. Sponsors or employers of NGS’s are required to register and comply with Chapter 446 Florida Statutes (FS), and Rule 6A-23 Florida Administrative Code (FAC) were applicable.

Typically, the NGS’s will be incorporated within the approved U.S. Department of Labor, Office of Apprenticeship boilerplate Standards of Apprenticeship. The ATR’s, staff and support personnel are directed to use the U.S. Department of Labor documents and to only modify the sections that need to be modified in order to be in compliance with Chapter 446 FS, and Rule 6A-23 FAC were applicable. The NGS’s do not need to be incorporated within Florida’s Standards of Apprenticeship document (pattern standards). All other Florida specific documentation (employer agreement, apprenticeship agreement, et al.) will be used in order to comply with established processes.

Pre-Apprenticeship programs may be registered with the Florida Department of Education as per Chapter 446.052 FS, and Rule 6A-23.010 FAC for program sponsors or employers establishing and requesting to register pre-apprenticeship programs utilizing their National Guideline Standards.

ATR’s, staff and support personnel are directed to service, provide technical assistance, and render support to sponsors or employers with NGS’s in the same manner as apprenticeship programs registered in Florida.

National Program Standards:

All National Program Standards (NPS), registered with the U.S. Department of Labor, Office of Apprenticeship, will be handled by the State Director of Apprenticeship. ATR’s, staff and support personnel are directed to refer NPS programs to the State Director of Apprenticeship in Tallahassee.

Sponsors or employers are not required to register their NPS’s within Florida. Registering NPS’s in Florida is a voluntary process. The Florida Department of Education will comply with 29-CFR-29.13(b)(7) and only review the NPS’s for meeting wage and hour provisions and apprentice ratio standards for compliance with Florida Rule 6A-23.004(2)(e) and 6A-

23.004(2)(g) respectfully. Upon review, if the NPS's are in conflict with 6A-23.004(2)(e) and/or 6A-23.004(2)(g), the national program sponsor or employer will be notified of the conflict and will be required to comply with said Florida Rule(s). Upon satisfaction by the Florida State Director of Apprenticeship of compliance, the NPS's will be afforded reciprocity.

Pre-Apprenticeship programs may not be registered with the Florida Department of Education for program sponsors or employers utilizing their National Program Standards registered with the U.S. Department of Labor, Office of Apprenticeship. Title 29 CFR part 29.13(b)(7) does not apply to pre-apprenticeship.

The ATR's, staff and support personnel will be directed not to service, provide technical assistance, or render support in any manner to the sponsor or employer with NPS's. All NPS's will be serviced by the identified U.S. Department of Labor, Office of Apprenticeship representative.

For additional guidance and direction, forward all inquiries to:

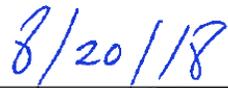
Director of Apprenticeship
325 West Gaines St., Rm. 754
Tallahassee, FL 32399
850-245-9039

AUTHORITY: Florida Department of Education, Division of Career and Adult Education – Apprenticeship Section; Chapter 446 FS; Rule 6A-23 FAC; U. S. Department of Labor Office of Apprenticeship; 29-CFR-29.13

ACTION: All ATR's, staff, support personnel, NGS and NPS apprenticeship programs shall follow the guidelines and procedures described above.



Rod Duckworth
Chancellor



Date Signed



Richard Norman, Ed.S.
Program Director of Apprenticeship



Date Signed