BULLETIN 2021-88 August 26, 2021

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| U.S. Department of Labor  Employment and Training Administration, Office of  Apprenticeship (OA)  Washington, D.C. 20210 | Distribution:  A-541 Headquarters  A-544 All Field Tech  A-547 SD+RD+SAA+; Lab.Com | Subject: Reauthorization of ETA Form 671: Program Registration and Apprenticeship Agreement and ETA Form 9039: Complaint Form – Equal Employment Opportunity in Apprenticeship Programs    Code: 907 |
| Symbols: DRAP/ASR | Action: Immediate |
| **PURPOSE:** To inform the staff of OA and the State Apprenticeship Agencies (SAA), Registered Apprenticeship program sponsors, Registered Apprenticeship partners, and other interested parties that the Office of Management and Budget (OMB) has reauthorized revised versions of ETA Form 671: Program Registration and Apprenticeship Agreement and ETA Form 9039: Complaint Form – Equal Employment Opportunity (EEO) in Apprenticeship Programs. Both ETA Form 671 and ETA Form 9039 each have a new expiration date of June 30, 2024.  **BACKGROUND:** Pursuant to the Paperwork Reduction Act (PRA) of 1995, the U.S. Department of Labor (Department) published a 60-day *Federal Register* Notice (FRN) on January 13, 2021, which solicited comments concerning a proposed revision for the authority to conduct the information collection request (ICR) titled, ‘‘Registration and Equal Employment Opportunity in Apprenticeship Programs’’ under OMB Control Number 1205-0223 (86 FR 2700). The Department received no substantive comments on a proposed revision of this ICR during the 60-day comment period, and subsequently, issued a 30-day FRN on May 3, 2021, which informed the public of this ICR’s submission to OMB for review and approval (86 FR 23429). On June 14, 2021, OMB approved the revised ICR submitted by the Department under OMB Control Number 1205-0223 through June 30, 2024. A copy of the OMB Notice of Action can be accessed at the following website:  <https://www.reginfo.gov/public/do/DownloadNOA?requestID=331288>.  The information collected under this recently-approved ICR includes modifications to the information collection activities previously approved by OMB under OMB Control Number 1205-0223 (titled “Title 29 Code of Federal Regulations (CFR) Part 29 -- Labor Standards for the Registration of Apprenticeship Programs”), including updates to: (1) ETA Form 671, Section I: Program Registration; (2) ETA Form 671, Section II: Apprentice Agreement and Registration; and (3) ETA Form 671, Section II: “Tear-Off” Voluntary Disability Disclosure. This recently-approved ICR also includes all of the information collections activities previously approved by OMB under OMB Control Number 1205-0224 (titled “Equal Employment Opportunity in Apprenticeship Training”), including updates to ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs. The approval of this revised ICR under OMB Control Number 1205-0223 obviates the need for a separate information collection on the EEO in apprenticeship requirements. Accordingly, the Equal Employment Opportunity in Apprenticeship Training ICR that is set to expire on March 31, 2023, which includes the previously-approved ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs, under OMB Control Number 1205-0224, will be discontinued by OMB on August 31, 2021. This ICR will no longer be available for use by the Department after that date.  OA notes that the revised ETA Form 671: Program Registration and Apprenticeship Agreement has been streamlined and modernized from the previous ETA Form 671 (with an expiration date of March 31, 2023) so that only information relevant to the registration of apprenticeship programs and apprentices is collected. Additionally, the revised ETA Form 671: Program Registration and Apprenticeship Agreement and ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs have been updated to incorporate minor clerical edits, which should enhance clarity. Below is a list of the more notable adjustments made to ETA Form 671 and ETA Form 9039:    **ETA Form 671, Section I:** **Program Registration** **–**   * the addition of a subsection where a sponsor must attest to the assurances required under section 2(b)(1) of the Support for Veterans in Effective Apprenticeships Act of 2019 with respect to Title 38 educational assistance * the addition of a field where a sponsor must disclose the principal place of business in the U.S. (i.e., the location of the sponsor’s headquarters) in connection with section 2(b)(3) of the Support for Veterans in Effective Apprenticeships Act of 2019 and section 2(c)(1) of the Veterans Apprenticeship and Labor Opportunity Reform (VALOR) Act * the addition of a field where a sponsor must indicate its willingness to be placed on the Eligible Training Provider List in connection with section 122 of the Workforce Innovation and Opportunity Act * the addition of a field where a sponsor must indicate if their program employs apprentices in more than one U.S. state or territory * the addition of multiple fields (e.g., ratio of apprentices to journeyworkers, on-the-job learning/training plan, minimum program requirements, the program type, and related instruction outline/plan) and a subsection (i.e., selection procedures) where a sponsor must disclose critical information that will inform the content of its apprenticeship program Standards   **ETA Form 671, Section II: Apprentice Agreement and Registration** **–**   * a modification to the agreement/contractual text (now contained in Part C) to align the content of the apprenticeship agreement with the various regulatory requirements contained in 29 CFR section 29.7 (Apprenticeship Agreement) * a modification to the sex, ethnicity, race, and veteran status categories to include an additional field for apprentices who elect not to disclose this information * an update to the veteran status category to enable Registered Apprenticeship programs to better service veterans in connection with the Support for Veterans in Effective Apprenticeships Act of 2019 * an adjustment to the education level category to align with the educational attainment categories for which the U.S. Government compiles workforce data by race, national origin, and sex   **ETA Form 671, Section II: “Tear-Off” Voluntary Disability Disclosure –**   * an update to the Department’s EEO in Registered Apprenticeship website   **ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs** **–**   * a modification to reflect the Supreme Court’s recent decision in *Bostock* that discrimination on the basis of sex also includes discrimination on the basis of sexual orientation (in addition to the bases of gender identity and pregnancy that were already included within sex discrimination under 29 CFR part 30 (Equal Employment Opportunity in Apprenticeship)), in accordance with the mandate contained in Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation * an update to the OMB Control Number   **NOTE:** The revised versions of ETA Form 671: Program Registration and Apprenticeship Agreement and ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs bearing OMB Control Number 1205-0223 and an expiration date of June 30, 2024 are attached for your viewing. The revised versions of ETA Form 671, Section I: Program Registration and ETA Form 671, Section II: Apprentice Agreement and Registration have been integrated in OA’s Registered Apprenticeship Partners Information Data System (RAPIDS). In addition, the revised versions of ETA Form 671, Section II: “Tear-Off” Voluntary Disability Disclosure and ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs are available on the Department’s EEO in Registered Apprenticeship website at: <https://www.apprenticeship.gov/eeo> for your convenience.  **ACTION:** OA staff should familiarize themselves with the information contained in this bulletin. OA staff should also continue to use RAPIDS for apprenticeship program and apprentice registration and discontinue using ETA Form 671: Program Registration and Apprenticeship Agreement and ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs, bearing an expiration date of March 31, 2023.  If you have any questions, please contact Andrew Ridgeway, Division of Registered Apprenticeship and Policy (DRAP) Chief, at Ridgeway.Andrew@dol.gov or (202) 693-3536.  **NOTE:** This bulletin is being sent via electronic mail.    Attachments  ETA Form 671, Section I: Program Registration      ETA Form 671, Section II: Apprentice Agreement and Registration    ETA Form 671, Section II: “Tear-Off” Voluntary Disability Disclosure    ETA Form 9039: Complaint Form – EEO in Apprenticeship Programs | | |