



Developing Affirmative Action Programs and Plans

A Guide for Registered Apprenticeship Program Sponsors

An Affirmative Action Program establishes the specific steps sponsors will take to ensure all qualified applicants and apprentices receive equal opportunity to be selected for – and succeed in – Registered Apprenticeship Programs. The apprenticeship Equal Employment Opportunity (EEO) regulations require certain Registered Apprenticeship Program sponsors to develop Affirmative Action Programs, which are set forth in a written Affirmative Action Plan. This document provides sponsors with information on how to prepare to write an Affirmative Action Plan.

Which Sponsors Are Required to Have an Affirmative Action Program?

Registered Apprenticeship Program sponsors are required to develop an Affirmative Action Program if they:

1. Have five or more apprentices
- AND -
2. Do not already have an approved Equal Employment Opportunity Program in place under Title VII of the Civil Rights Act or Executive Order 11246 and Section 503 of the Rehabilitation Act.

Affirmative Action Programs help sponsors better understand the demographics of their apprenticeship programs and help ensure their programs are free from unlawful discrimination. Affirmative Action Programs do **not** impose quotas or mandate hiring of any unqualified people into a program.





When Are Affirmative Action Programs Developed?

Sponsors of programs registered with the U.S. Department of Labor, Office of Apprenticeship (OA), have two years from the date they register their program to complete their initial Affirmative Action Program. Sponsors of programs registered with State Apprenticeship Agencies (SAAs) should check with their SAA regarding deadlines.

What Information Is Contained in an Affirmative Action Program?

Affirmative Action Programs include several major components, which are summarized in the Affirmative Action Plan.

Sponsors develop some components of their Affirmative Action Program independently, while others are developed with the assistance of apprenticeship staff. Each of the activities listed below must be documented in the written Affirmative Action Plan.

- **Demographic analyses for race, sex, and ethnicity.** With the support of apprenticeship staff, sponsors compare data on the race, sex, and ethnicity of their apprentice workforce to the characteristics of the qualified workforce in their recruitment area. Sponsors prepare for these analyses by making sure their apprentice demographic information is up-to-date and readily available, and reviewing the race, sex, and ethnic composition of their apprentice workforce.
- **Invitations to apprentices and applicants for apprenticeship to voluntarily self-identify as an individual with a disability.** Sponsors use the [Voluntary Disability Disclosure Form](#) to identify the number of individuals with disabilities in their programs.
- **Examination of the proportion of individuals with disabilities in their program.** Sponsors use the self-identification information to compare the representation of individuals with disabilities in their apprentice workforce to the national aspirational goal set by OA that 7% of apprentices are qualified individuals with disabilities.
- **Setting goals to increase underrepresented groups and conducting targeted outreach and recruitment, as needed.** If the comparisons of demographic characteristics of apprentices and the qualified workforce in the recruitment area show that inclusion of women or ethnic or racial minorities is lower than would be expected, sponsors will establish written goals and engage in targeted outreach and recruitment efforts to increase the proportion of these underrepresented groups. Where the proportion of individuals with disabilities in a sponsor's program is less than 7%, the sponsor will take steps to determine whether or where impediments to equal opportunity exist. As with other underrepresented groups, the sponsor will engage in targeted outreach and recruitment efforts to increase the representation of individuals with disabilities in the program, if needed.
- **Annual review of personnel practices.** This review involves examining employment practices, policies, and decisions for the impact they have on employing minorities, women, and individuals with disabilities in the program. All sponsors with Affirmative Action Programs should conduct this review, even if they do not need to set goals or engage in targeted outreach and recruitment activities. Any policies that create barriers to equal opportunity must be revised.



The remainder of this guide provides information and tips on how to gather the data for and develop the components of the Affirmative Action Plan.

Gathering Data

Development of the plan requires gathering demographic and occupational data on apprentices in the program. Sponsors should encourage, but may not require, apprentices to identify their race, sex, and ethnicity, as well as their disability status.

Sponsors may use any forms they wish to collect information on the race, sex, and ethnicity of their apprentices, but they are required to provide apprentices with the [Voluntary Disability Disclosure Form](#) to collect information regarding an apprentice's disability status. For more information on self-identification of a disability, please read [Disability Self-Identification: A Guide for Apprenticeship Sponsors](#).

All forms containing demographic data should be stored separately from records used for the purposes of recruiting, hiring, or promoting apprentices, and demographic data may never be used in making decisions concerning hiring or promoting apprentices. Each apprentice's occupational title and major occupational group must also be documented when collecting the individual demographic data. This information is needed for the analyses that sponsors conduct, as described in the following section.

Conducting Demographic Analyses

Sponsors conduct three analyses: a workforce analysis, an availability analysis, and a utilization analysis. The results of these analyses are documented in the written Affirmative Action Plan.

Workforce Analysis

Sponsors first conduct a workforce analysis that identifies the demographic makeup of a Registered Apprenticeship Program's apprentice workforce, by occupational title and major occupation group. The workforce analysis simply identifies the racial, sex, and ethnic composition of the apprentice workforce.

GATHERING AND MAINTAINING RECORDS

Here are some useful practices for gathering and maintaining records on the demographic data of apprentices:

- Ensure that all apprentices understand disclosure of demographic information is completely voluntary.
- Give apprentices an opportunity to fill out their forms privately.
- If apprentices do not wish to disclose their demographic data, that is their right, and a sponsor may not compel or coerce an individual to provide demographic information.
- If self-identification is not feasible, post-employment records or visual observation may be used to obtain this information.
- Sponsors using the Registered Apprenticeship Partners Information Management Data System (RAPIDS) are urged to enter the information obtained from applicants and apprentices into the system. RAPIDS now include fields for all of this information.



Sponsors conduct a workforce analysis within two years of their program's registration. A separate analysis is also conducted at this time to identify apprentices with disabilities – by occupational title and major occupation group – within the program.

Availability Analysis

Next, sponsors conduct an availability analysis that determines the racial, sex, and ethnic representation of qualified individuals available for apprenticeship in the relevant recruitment area. This analysis reveals the potential available apprenticeship candidates for each major occupation group represented in the sponsor's apprenticeship program.

Sponsors do not need to conduct an availability analysis to determine the representation of individuals with disabilities in the relevant recruitment area because OA has set a utilization goal of 7% for all programs. This goal is a benchmark against which the sponsor must measure the representation of individuals with disabilities in the sponsor's apprentice workforce by major occupation group.





Utilization Analysis

Finally, sponsors conduct the utilization analysis, which is a comparison of the results of the workforce analysis and the availability analysis (or the 7% utilization goal for individuals with disabilities), to determine if the demographic makeup of a program is representative of the demographic composition of the recruitment area. If a program is found to be significantly lacking in representation for women, ethnic or racial minorities, or individuals with disabilities, the sponsor must take additional steps to set utilization goals and conduct targeted outreach, recruitment, and retention activities. For underutilization of individuals with disabilities, the sponsor will determine whether and/or where impediments to equal opportunity exist in its personnel practices or outreach and recruitment efforts. The sponsor will undertake targeted outreach, recruitment, and retention activities to correct any problem areas identified in this evaluation and describe their efforts in the Affirmative Action Plan.

Resources for Conducting Analyses

Apprenticeship staff are available to help sponsors conduct their analyses. These individuals are trained in conducting these analyses and have access to tools and resources to make the process as easy as possible. To identify your apprenticeship representative, visit the [State Contact List](#).

Your apprenticeship representative will use a tool called the Demographic Analysis Tool to help develop both the availability and utilization analyses. The Demographic Analysis Tool pulls data from the U.S. Census Bureau for a program's recruitment area and compares it to the demographic data of the program.

Utilization Goals

Utilization goals for race, sex, and ethnicity are put in place when a program's representation of women or ethnic or racial minorities is significantly less than would be reasonably expected, given the population of the recruitment area as a whole. Working with apprenticeship staff, the sponsor will establish and document a goal to increase representation for the underserved group(s) in the program. The percentage goal should align with the availability of qualified individuals in the recruitment area.

Establishing a utilization goal does not mean any finding of discrimination has been made. It simply means the sponsor must make a good faith effort to identify and eliminate barriers to equal opportunity. The goals themselves are not rigid quotas that must be met. Utilization goals may not be used to supersede eligibility requirements for apprenticeship and do not require sponsors to select a person who lacks qualifications to participate in the apprenticeship program.

Utilization goals are helpful for sponsors to better understand the effectiveness of their recruitment efforts. However, utilization goals:

- Are **not** quotas.
- Do **not** allow for hiring on the bases of race, sex, or ethnicity.
- Do **not** supersede eligibility requirements.



The utilization goal for individuals with disabilities is a national aspirational goal that 7% of a program's apprentice workforce consist of qualified individuals with disabilities. As with the utilization goals for race, sex, and ethnicity, the goal for individuals with disabilities is not a quota and does not mandate sponsors to hire anyone who is unqualified or who cannot perform the duties required.

Resources for Conducting Targeted Outreach and Recruitment

If the analyses show that a sponsor's program lacks sufficient representation in one or more of the demographic groups, the sponsor must conduct targeted outreach, recruitment, and retention efforts. Sponsors can use the [Universal Outreach Tool](#)

to find organizations in their area that serve diverse populations, and partner with these organizations to recruit candidates from the underutilized group(s) for their Registered Apprenticeship Programs. Sponsors must include the list of organizations that they will work with to disseminate information on apprenticeship openings, as well as their evaluation of the effectiveness of those recruitment efforts, in their written Affirmative Action Plan.

Annual Review of Personnel Practices

By the program's two-year registration anniversary date, a sponsor must conduct an initial review of personnel practices and document the findings in their Affirmative Action Plan. This review must thereafter be conducted on an annual basis. The purpose of this review is to ensure the sponsor is operating a program free from discrimination. These reviews are required regardless of whether or not the sponsor finds underutilization for any specific group, or impediments to equal employment opportunity for individuals with disabilities and should include the program's:

- Qualifications for apprenticeship
- Application and selection procedures
- Wages
- Outreach and recruitment activities
- Job performance
- Advancement opportunities and promotions
- Work assignments
- Disciplinary actions
- Handling of requests for reasonable accommodations
- Accessibility to individuals with disabilities





UNITED STATES
DEPARTMENT OF LABOR

Office of Apprenticeship



HAVE MORE QUESTIONS?

Any questions you have about developing Affirmative Action Programs and Plans, including collecting and storing demographic data, conducting workforce or availability analyses, reviewing personnel practices, setting utilization goals, or any other related issue, can be directed to your apprenticeship representative. Visit the [State Contact List](#) to find the representative for your state.

Additional information about equal employment opportunity in apprenticeship is available on the [Apprenticeship EEO](#) website.