

OFFICE OF APPRENTICESHIP BULLETIN	NO . 2022-95
	DATE July 1, 2022

TO: NATIONAL APPRENTICESHIP SYSTEM STAKEHOLDERS
OFFICE OF APPRENTICESHIP STAFF
STATE APPRENTICESHIP AGENCIES

FROM: JOHN V. LADD /s/
Administrator, Office of Apprenticeship

SUBJECT: Sponsor Obligation to Prevent Harassment and Intimidation of Apprentices

1. **Purpose.** To inform Registered Apprenticeship Program (RAP) sponsors, Registered Apprenticeship (RA) partners, and State Apprenticeship Agency (SAA) staff of the Office of Apprenticeship's (OA) expectation that they will proactively address, immediately act on, and work to strategically prevent occurrences of harassment and intimidation of apprentices.
2. **Action Requested.** This bulletin is being provided to RAP sponsors, RAP partners, and SAA staff to provide critical information regarding anti-harassment and intimidation, which requires swift and immediate action in all cases. Sponsors, potential sponsors, RAP partners, and SAA staff should familiarize themselves with this bulletin to ensure appropriate protections and responses against hateful, menacing acts of harassment and intimidation are afforded to all apprentices.
3. **Background and Summary.**
 - a. Background – Under the National Apprenticeship Act of 1937, OA is conferred the responsibility to protect the safety and welfare of apprentices. Pursuant to this authority, OA has issued regulations designed to ensure that apprentices participating in the National Apprenticeship System are free from unlawful discrimination, harassment, intimidation, and workplace violence. In all states, whether OA is the Registration Agency or if an SAA is, under 29 CFR 30.3(b)(4), sponsors are obligated to develop and implement procedures to ensure that its apprentices are not harassed because of their race, color, religion, national origin, sex, sexual orientation, age (40 or older), genetic information, or disability and to ensure that its apprenticeship program is free from intimidation and retaliation as prohibited by §30.17.

Recent media reports of incidents of harassment and intimidation of apprentices warrant swift and decisive action from sponsors to prevent reoccurrences and promote environments of tolerance and equity in the workplace so that all apprentices feel safe, welcomed, and treated fairly.

- b. Summary – Harassment and intimidation of any apprentices is intolerable and unacceptable. Program sponsors are obligated under 29 CFR Part 30 to design and implement internal procedures and adopt practical measures for effectively addressing and mitigating harassment risks to apprentices, as well as for promptly handling and resolving apprentice complaints about harassment and intimidation. Additionally, sponsors are responsible for ensuring affiliated and contracted employers do not ignore, tolerate, or encourage any conduct that suggests acceptance of such behaviors.

4. Sponsor and Registration Agency Actions.

As mentioned above, recent media reports of incidents of harassment and intimidation of apprentices warrant swift and decisive action from sponsors to prevent reoccurrences and promote environments of tolerance and equity in the workplace so that all apprentices feel safe, welcomed, and treated fairly.

Examples of practical measures sponsors may employ to combat incidents of harassment, discrimination, and intimidation include, but are not limited to:

- designating an individual or office within the employing organization to handle harassment complaints and effectively address harassment risks;
- establishing disciplinary guidelines and procedures for holding offending persons accountable for their actions;
- adopting a process for immediately referring incidents of workplace harassment that involve assault or other crimes to law enforcement agencies; and
- providing supportive services (such as counseling) to apprentices who have experienced harassment and intimidation in the workplace.

OA prohibits, and sponsors must be vigilant in preventing, retaliation against any apprentice for making a good-faith report of harassing conduct, opposing any harassing behavior or other form of discrimination, cooperating with or participating in any investigation of alleged harassing conduct, or otherwise engaging in protected activity.

SAAAs are also advised to inform OA of all instances of violence, harassment, intimidation, and discrimination, and to outline the immediate steps that the SAA intends to take to address such incidents.

Harmful and malicious conduct must never be ignored, tolerated, or abetted by program sponsors or participating employers. Apprentices of all racial, ethnic, sexual, religious, and disability backgrounds are entitled to a workplace that is safe, welcoming, and free of both physical and emotional abuse. When made aware of such conduct, the failure of RAP sponsors or an SAA to take immediate action to address and eradicate said conduct could result in the initiation of enforcement proceedings by the Office of Apprenticeship, as well as other governmental agencies, against those parties. Regulatory compliance dictates all reasonable measures be put forth to avoid such an outcome. Sponsors can work towards eliminating harassment by promoting awareness and taking swift action to report and hold accountable those who engage in harassing behavior.

In addition to available technical assistance from OA or your servicing SAA staff, additional anti-harassment and non-discrimination resources are available at <https://www.apprenticeship.gov/eo>.

5. Safe Harbor for Apprentices to Report Concerns.

Programs should ensure that apprentices are aware of their ability to report discrimination or harassment on the job or in the program at ApprenticeshipEEOcomplaints@dol.gov.

6. Inquiries.

If you have any question, please contact Andrew Ridgeway at Ridgeway.Andrew@dol.gov.