

CIRCULAR 95-1Date: **October 31, 1994**

U.S. Department of Labor Employment and Training Administration Bureau of Apprenticeship and Training Washington, D.C. 20210	Distribution: A-541 A-546 A-547	Subject: Code 650 Dual Lists, 29 CFR 30
Symbols: TA:ASWOOPE		Action: Immediate

PURPOSE: To clarify the Department of Labor's (DOL) policy regarding the use of dual lists in the selection of apprentices.

BACKGROUND: On July 13, 1994, DOL's Bureau of Apprenticeship and Training (BAT) issued Circular 94-05 which was intended to clarify DOL's policy regarding the dual lists, especially in light of the 1991 amendments to Title VII of the Civil Rights Act 1964, as amended (42 U.S.C. 2000e, et seq.). The Circular also rescinded the previous Circular on this subject (79-19).

It has come to the attention of BAT that Circular 94-05 has been misinterpreted by the public. The misinterpretations include the view that Circular 94-05 prohibits the application of affirmative action principles in the selection of applicants for apprenticeship programs.

DOL has been in touch with the Equal Employment Opportunity Commission (EEOC) in light of the relevant Civil Rights Act provisions. The Commission, with the assistance of DOL, presently is studying the meaning of the 1991 amendments to Title VII and expects to issue guidance on its interpretation of them in the future.

ACTION: In consideration of the misinterpretation of Circular 94-05 and the on-going discussions with the EEOC, DOL hereby rescinds Circular 94-05 and reinstates Circular 79-19, which is attached, until general interpretative guidance is issued by EEOC. DOL will then review EEOC's general guidance and issue any further guidance regarding the use of dual lists that it determines to be necessary. Please note that TESPL 2764 referenced in Circular 79-19, no longer is operative and should be ignored.

RECISIONS: This Circular rescinds Circular 94-05, dated July 13, 1994, and reinstates Circular 79-19, June 29, 1979, which is attached.

Attachment