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MEMORANDUM

TO: Apprenticeship Program Sponsors

FROM: Kevin O’Farrell, Ph.D.

DATE: November 19, 2024

SUBJECT: National Guideline Standards and National Program Standards

The purpose of this memorandum is to outline the policy and procedure related to Apprenticeship and Training Representative (ATR), staff and support personnel responsibilities when dealing with U.S. Department of Labor, Office of Apprenticeship (USDOL-OA) National Guideline Standards and National Program Standards.

DEFINITIONS:

National Guideline Standards (NGS) – are a template of high-quality apprenticeship program standards submitted by a labor union, trade or industry association, employer, workforce intermediary, education provider or other organizations with national scope; these apprenticeship standards may be certified by USDOL-OA in instances where they are (1) found suitable for adoption or adaptation by state or local affiliates of the submitting organization, and (2) fully satisfy the regulatory requirements set forth at Title 29 CFR Parts 29 and 30 and any sub-regulatory guidance issued thereunder. NGS that receive certification by OA may be registered subsequently on a local basis by the applicable Registration Agency (either by a USDOL-OA State Office or by a State Apprenticeship Agency (SAA)) within a particular state or jurisdiction where a program adopting the NGS standards is situated.

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 NPS. Apprentices are registered into the NPS. The National USDOL-OA is the Registration Agency for National Program Standards, and these programs are serviced by the National OA. Additionally, Title 29 CFR Part 29.13(b)(7) requires SAAs 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.”

Kevin O’Farrell, Ph.D.
Chancellor of Career and Adult Education

ADMINISTRATIVE PROCEDURES:

National Guideline Standards:

All National Guideline Standards (NGS), certified with the USDOL-OA, will be handled in the same manner as registering an apprenticeship program with the Florida Department of Education (FDOE).

The U.S. Department of Labor, Office of Apprenticeship certify NGS 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 and Chapter 6A-23, Florida Administrative Code (F.A.C.), were applicable.

Typically, the NGS will be incorporated within the approved U.S. Department of Labor, Office of Apprenticeship boilerplate Standards of Apprenticeship. The ATRs, staff and support personnel are directed to use the Florida Standards of Apprenticeship documents for the registration of programs that base their standards on National Guideline Standards.

ATRs, staff and support personnel are directed to service, provide technical assistance and render support to sponsors or employers with NGS 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. ATRs, 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 within Florida. Registering NPS in Florida is a voluntary process. The FDOE will comply with Title 29-CFR-29.13(b)(7) and only review the NPS for meeting wage and hour provisions and apprentice ratio standards for compliance with Florida rules 6A-23.004(2)(e) and 6A-23.004(2)(g), F.A.C., respectfully. Upon review, if the NPS conflict with rules 6A-23.004(2)(e) and/or 6A-23.004(2)(g), F.A.C., the national program sponsor or employer will be notified of the conflict and will be required to comply with said Florida Rule(s). Upon compliance, the Director of Apprenticeship will afford reciprocity.

The ATRs, 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. All NPS will be serviced by the identified U.S. Department of Labor, Office of Apprenticeship representative.

For questions, please contact Kathryn Wheeler, Director of Apprenticeship, at Apprenticeship@fldoe.org or 850-245-0454.