**WorkforceGPS**

**Transcript of Webinar**

**Best Practices for Adopting or Implementing Updated EEO Regulations**

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LAURA CASERTANO: Again, I want to welcome everyone to today's "Best Practices for Adopting or Implementing Updated EEO Regulations" webinar, and I'm going to ask you – just in case you haven't done it already or you joined late – just go ahead and make sure you introduce yourself, again, in that chat box in the bottom left-hand corner of your screen. I'll give you a second to do that. Make sure if you haven't done so already you introduce yourself in that chat box in the bottom left-hand corner of your screen.

And now I'm going to turn things over to your moderator today, Felecia Hart. She's with the Office of Apprenticeship at the U.S. Department of Labor. Felicia?

FELECIA HART: Thank you, Laura. My name is Felecia Hart and I am the federal project officer for the WANTO grantees, and I am so delighted to be your moderator for today's webinar.

The WANTO Act of 1992 authorized the U.S. DOL to award grants to CBOs in an effort to assist employers and labor unions in promoting the recruitment, training, employment and retention of women in apprenticeship and nontraditional occupations. That's the premise of what the WANTO grantees are doing – are all about.

As you can see from the map, they cover a lot of area. From this grant they have developed three regional technical assistance centers to provide resources to program sponsors. And I have the website for you all but it's not showing up there. So if you want to visit our website at doleta.gov/oa/aag/cfm, the resource center is there with the information for employers. And if you did not get that I will make sure you get that website again.

And in today's webinar you'll hear from Meg Vasey, she's the executive director for Tradeswomen Inc.; Patrick Reardon, he's the executive administrator from ApprenticeOhio; and Tiffany Thompson, advocacy program manager for Oregon Tradeswomen.

And I will now turn it over to Meg. Meg, take it away.

MEG VASEY: Thank you, everyone. Thank you, Felecia. My name is Meg Vasey. I'm the executive director of Tradewomen Inc. We are located here in California and we serve most of California and then we partner in the western region through the WANTO Western Regional Consortium.

Today I'll be speaking on EEO regulations and best practices for implementing the regulations by programs registered with the Office of Apprenticeship – that's OA.

I would like to insert a note of caution, that your program may be located in what we call an SAA state, or a state-recognized apprenticeship association with the federal government, and your timelines and obligations will be slightly different. They will be addressed more completely by our second speaker, Patrick Reardon.

You may be located in an SAA state but your program still may be directly registered with the Office of Apprenticeship and you would fall under the timelines and obligations that I will be addressing, and you should double-check to make sure that you know what timeline and set of obligations you should look to with your program.

Just a short bit about Tradeswomen Inc. We were founded in 1979 and our mission is to support women in nontraditional trades. For more information you can certainly contact us through our website, and all our contact information is there. Thank you.

This is a short overview of the timeline that the EEO regulations impose on registered apprenticeship programs. As you may understand, as a registered apprenticeship program you are regulated by the Department of Labor, and you are required to have certain minimum standards for your equal employment opportunity programs.

The initial requirements went into place January 18th, 2017 for existing sponsors. If you're a new sponsor, clearly the initial requirements are not – those obligations come to you upon your registration.

They include some data requirements and a clear pledge of coverage in your regulations. The important thing – a broader set of regulations went into effect on July 17th, including to make sure that you have the new bases for covering your apprenticeship protected classes. You have to have a particular person who's assigned responsibility. Some small programs have not done this yet, and it's important that they look to this requirement.

You have to have a universal outreach, development, and recruitment sources list; and you are responsible for maintaining an environment free from harassment, including providing anti-harassment training. Now, some of these details are further explicated (sic) both on the Department of Labor website and we'll talk about them in more detail here.

So this is a reminder that – of the prohibited basis of discrimination, and that you must provide an environment that's free from any discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, age, genetic information, or disability.

One of the major changes is the addition of disability to the prohibited classes (sic) under apprenticeship of discrimination. So you need to make sure that both your policy descriptions in your organization – program as well as your implementation covers the entire suite of bases of discrimination.

The discrimination that is prohibited involves – just a reminder of all the different bases here, that these discrimination – you may not discriminate and you must have policies that cover recruitment, outreach, and selection procedures, as well as hiring, placement, upgrading, advancement, promotion, demotion; all employment actions including rotation among work processes; and you must have penalties or other disciplinary action for those who fail to implement or conform to these equal employment opportunity practices.

It's important to go back for a moment and understand why tradesmen and tradeswomen organizations take these EEO regulations seriously. We are all involved in building an apprenticeship pathway for blue collar careers for the incoming workforce generation, which is 50 percent women. But a snapshot of the inclusion of women in apprenticeship points to the work that we have yet to accomplish.

Men comprise 94 percent of all apprentices in the United States. In the largest area of apprenticeship and in one of the highest-paying career paths, men comprise 98 percent of the apprentices – that is construction. Our numbers here in California – a state with over 75,000 apprentices – reflect the same paucity of women.

Note that the recruitment, outreach, as well as selection are called out in the new regulations; and oversight of these activities is necessary to ensure nondiscrimination, and that is in the purview of the registration agencies.

And just a reminder of the further reach of the EEO regulations and employment acts. They include rates of pay, conditions of work, hours of work, and hours of training provided. This is an important area for apprenticeship if we are going to have apprentices fully trained to perform well in their journey-level positions; job assignments, leave, sick and other leaves, and any other benefit, term, condition, or privilege associated with apprenticeship.

Another presenter will talk more in-depth about what constitutes effective anti-harassment training. Here it's worth noting that the new regulations require an interactive training, and that the training should reach a wide audience, including the apprenticeship program staff but also the apprentices as a whole and the workers and the supervisors that interact with apprentices on the worksite.

Here again, the Department of Labor has more guidance on its website and is developing more in the future. Tradeswomen organizations also have resources and technical assistance to share.

I just want to remind apprenticeship providers that these regulations, while articulating the way that these EEO requirements apply to Office of Apprenticeship registered programs, that the overarching requirements will also reach those programs that are registered with state apprenticeship associations, even if their actual implementation and policies and procedures may differ to some extent.

This next slide is just a short snapshot of construction apprenticeship registration of women in the western region. It's just to show you both the need if we're going to reach the 50 percent – or even a 20 percent – standard for women in construction apprenticeships; and also to say that there is a wide variety, wide range of participation and that we can improve and reach a much greater goal of the participation of women even in construction, which is often considered the most challenging of the apprenticeship categories to increase the numbers of women.

Just a reminder, again, that even in all apprenticeship, female apprentices are only 6 to 7 percent while men are 93 percent of the apprentices in the country.

Looking ahead for OA-registered sponsors. The next set of OA regulations come into enforcement on January 18th, 2019. So you have time to plan and to develop the requirements for these provisions.

The affirmative action plan will require both initial workforce analysis steps as well as the utilization analysis addressed in the next slide.

Apprenticeship for the most part is an entry pathway into a career, so we expect that most programs will need to address the underutilization of women in their programs and will likely find a need to build action steps, ranging from outreach through retention in their affirmative action plan.

For support in this process in California please contact our organization; and in other regions please reach out to your sister WANTO programs listed in the initial map slide.

A note about disability as a protected basis for discrimination and the tracking of that population as a component of your program population. The DOL requires a program review (of policies and ?) procedures in this regard, and self-identification will continue to be the key to tracking. You have to make sure that you read and comply with the process for collecting this information, and please see the DOL website for further guidance or contact appropriate organizations.

The process for conducting a utilization analysis for race and sex employment in your organization and for individual disabilities will have assistance through the Department of Labor. As I say, I think that many of you should be looking at what steps you're going to take towards the underutilization of women. Tradeswomen Inc. and its sister WANTO grantees have in-house and web-based technical assistance available to assist programs to increase the numbers and success of women in apprenticeship.

Our national workforce is changing and we need to upskill all of our next generation to have a strong economy with successful and productive workers. This is part of the purpose of these regulations and I think we can all work together to make sure that we build a future for the upcoming workforce as well as a stronger economy in general.

With that I'd like to conclude and ask you to please visit our website for resources, particularly in California, and feel free to contact me. Again, my name is Meg Vasey and here on the slide is my contact information and our website.

And now with great pleasure I'd like to introduce our next presenter, Patrick Reardon, who's the executive administrator for ApprenticeshipOhio (sic), who will speak more in-depth about state regulations.

PATRICK REARDON: Thank you, Meg, and greetings, everyone. My name is Patrick Reardon. I'm the executive administrator for ApprenticeOhio. ApprenticeOhio is housed within the Ohio Department of Job & Family Services Office of Workforce Development.

Our state agency is the state apprenticeship agency, recognized and approved by the U.S. Department of Labor Office of Apprenticeship to monitor and regulate all registered apprenticeship activity here in the state of Ohio.

As Meg had alluded to during her presentation, there is somewhat of a difference in the country in terms of how the registered apprenticeship program is implemented within the local levels at each state. Half of the country is run by an actual department of labor office of apprenticeship organization, and then half of the country is actually run by a state apprenticeship agency just as I have mentioned with the Ohio Department of Job & Family Services.

We have a national organization called the National Association of State & Territorial Apprenticeship Directors, NASTAD. This organization was developed as a platform for all state apprenticeship agencies to share ideas and best practices on how to run their system within the state; as well as abiding by the federal regulations 2929-2930.

Also, we wanted to ensure that we provided some information from the perspective of a state apprenticeship agency; some of the timelines that we have to work with to meet compliance with the federal regulations; as well as some of the specific items that we are launching here in Ohio to get our state regulations into compliance with the new federal EEO regulations.

So I want to start at the top with the actual final federal rule. This was released in the Federal Register on December 19th of 2016, and the new 29 CFR Part 30 has a new effective finalized date of January 18, 2017.

The Department of Labor Office of Apprenticeship has a really great webpage that they've developed that is specifically for the new EEO affirmative action plan regulation changes, this 29 CFR Part 30. If you refer to that particular webpage you will see an abundance of different resources that are available for the implementation not only on the Department of Labor Office of Apprenticeship side but also the state apprenticeship agencies.

One of the key documents that we have been utilizing here in Ohio as we implement our changes is a side-by-side timeline of different points that the state apprenticeship agencies have to hit in terms of what needs to be submitted; but also a nice side-by-side overview of what the actual new regulation changes are. So I encourage everyone to take a look at that if you have not done so already.

In 29 CFR 30.18 there is an outline of the specific action items that state apprenticeship agencies have to work with to get information to the Department of Labor Office of Apprenticeship. Each one of the state apprenticeship agencies have their own state regulations, and that's what they use to monitor and regulate the state apprenticeship system in their state.

In order for a state apprenticeship agency to have that recognition, authority, and approval to do so, the United States Department of Labor Office of Apprenticeship has to review the state regulations and approve them to be incorporated at the state level.

What we have to do as a state apprenticeship agency is we have to submit a draft EEO plan to the Department of Labor Office of Apprenticeship by January 18, 2018. These would include the state regulations that will be proposed to be finalized at the state level, which incorporates all the new federal EEO regulation changes within 29 CFR Part 30.

Something to keep in mind if you are a state apprenticeship agency or practitioner at the state level, is that the state regulations must meet the minimum regulations within the federal regulations. However, there can be some additional regulations that you can incorporate into your state regulations as long as its submitted fully within that plan and reviewed by the Department of Labor Office of Apprenticeship for approval.

Once the draft state regulations are submitted to the Department of Labor Office of Apprenticeship, they will review those for either approval as-is and get that back to the state for the state to work on getting that through the legislative process; or the state will be required to make some revisions per the recommendations and requirements of the Department of Labor.

Once all of the information is approved by the Department of Labor, registered apprenticeship sponsors and each state apprenticeship agency have 180 days from the date of that approval to comply with the new federal regulations for federal purposes. This is very important to understand – federal projects, contracts, and things of that nature. The sponsors have to abide by those new federal regs within 180 days of approval of the state plan.

Once a state gets the approval back from the Department of Labor, that is when the agency will have to go through that legislative process to get their state regulations finalized with what the Department of Labor has required.

One thing that we are doing here in Ohio – just to drop back a little bit – each state apprenticeship agency is required to have a council. This council is a group of representatives that assist the state apprenticeship agency with implementing regulations as well as providing feedback from a stakeholder perspective. These councils can either be an advisory council such as that here in Ohio or an actual regulatory council.

What we've decided to do is we've created a subcommittee of individuals comprised of our council members to review and draft our state regulations. We've taken the entire federal regulation and we've incorporated all of the new pieces into a draft format for our subcommittee based on our council to review.

Once we go through this process with our office here – the Ohio state apprenticeship council – we will put together a final recommendation to our leaders and our administration at the state level in order to get that approved and submitted to the U.S. Department of Labor Office of Apprenticeship.

Once that's finalized we will be utilizing an abundance of the wonderful resources that the Department of Labor are working on. We will have our stakeholders here in Ohio utilize those as well as develop our own that would be specific to our needs here at the local level here in the state.

We've also contracted an EEO navigator to help us with this process in order to develop some workshops, some technical assistance training, and some resource material that our stakeholders can use.

This is something that our administration is working really diligently to get on board so we can get it over to the Department of Labor. We tend to try to be very progressive when the federal regulation changes come about, whether it's the programmatic side of 2929; and definitely this one. This is something that we're excited that the Department of Labor has rolled out.

And if anyone has any questions specifically on what their state can do from a state apprenticeship agency perspective – things in place to get everything moving – my contact information will be on this next slide. I encourage you to please let me know if there's anything that you need. So I appreciate everyone's time and I will pass it along to our next presenter.

TIFFANY THOMPSON: Hello, all. My name is Tiffany Thompson. I am the advocacy program manager for Oregon Tradeswomen, based in Portland, Oregon. I'm going to be talking a little bit more today about anti-harassment training and I've going to go above and beyond what is required in the new EEO regulations.

So first, a little bit about Oregon Tradeswomen. We are a 501(c)(3) nonprofit dedicated to promoting success for women in the trades through education, leadership, and mentorship. So under that we run a seven-week pre-apprenticeship, offer career counseling, leadership development, and advocacy for women working in the trades.

Today when we start talking I wanted to offer the idea that there are three levels of training when you're doing anti-harassment training work, and not all three of these levels are required under the regulations but I wanted to give you all an example of how to think about this in a broader effort to eliminate harassment.

So under the regulations it does say that you're required to maintain an environment free from harassment, and Meg talked about that, as well as what kinds of things have to be in the anti-harassment training according to the EEO regulations. And one of those elements is that it must be an interactive training.

So when you're putting together an anti-harassment training I think it's really important to keep in mind what your goal for the training is. Is it that you want to make sure that folks know what the response is; like, how do they make a report; what are the legal definitions of harassment; are you wanting folks to have more awareness of what the issues are, or are you trying to prevent it?

So in looking at these three levels, the first one is response – what happens after an incident. Usually this type of training focuses on what the legal definitions of harassment are. It outlines what your organization policies are and it often explains the reporting process. It might give you some examples of what harassment are to help folks identify what fits within that legal definition.

Now, this is the level that the majority of the EEO regulations require you to do, that response level. The next level up is intervention. This is what happens during an incident. You're focusing on the immediate interaction. This might be co-workers intervening; it might be a supervisor seeing something happen.

This is also where you'll see more awareness training around the impact of what can happen when harassment is on a job site. This is also a place where you might be building the skills of your workforce to intervene in harassment and make sure that reporting could happen.

Finally, the last level is prevention. Now, what's important to know about prevention is that it cannot stand on its own. It needs the support of the intervention and response levels. But prevention is what happens before an incident. It's how you're focusing on shifting the culture around it. It communicates expectations both verbally and nonverbally. I will get more information into each of these going forward in the presentation.

It is also important to note that you can have a mix of the three within a single training.

Somebody had asked earlier if there were anti-harassment resources on the DOL website. There absolutely are. They have been working to create some videos that are interactive and that will meet the requirements of the EEO regulations. This slide here as well as the link to it in the resources will be really important for you all to meet those minimum obligations. And there's some really fantastic resources that focus on those regulations, so I encourage you to visit that site.

The second one that I would like to encourage you all to visit on the response side of things is last summer the Equal Employment Opportunity Commission released an amazing report on anti-harassment work and how to be preventing the harassment behaviors from happening in the first place.

What I love about this report and that I think will be helpful for all of you is that there's a series of checklists at the back of the report that you can actually go down to make sure that you're meeting requirements in your policies, making your policies the best practice – meaning they're accessible to your workforce – and it has checklists on how to go to the next level where you're doing intervention, what it looks like to have your administration involved in the process. So this is another great resource through the federal government to address these anti-harassment training issues.

So now I want to talk about the next level of the training, and this is the intervention piece. As I said before, this is often where you're awareness-raising happens; and the awareness-raising can focus on just the legal definition but often goes further to talk about any types of harassing behavior that are going to interrupt the workflow or cause safety issues for your workers.

Examples of this type of training can be bystander intervention campaigns, which is teaching other workers witnessing something how they can get involved and stop something in its tracks. An example is on a campaign.

A second one that I want to give an example of is Worksafe BC. They're out of British Columbia in Canada. They have an entire series of videos, some that are construction-specific but others that are specific to different industries, and they also have an online toolkit that focuses not only on your policy but how to train folks.

So without further ado we're going to show a short video from their series, "Builders Not Bullies." It is available for free on YouTube.

MS. CASERTANO: OK. And just a note before I play that video. I just want everyone to know that anyone who's connected over the phone, you won't be able to hear the audio of the video through the phones. You're going to need to unmute your line and unmute your computer speakers. The video is only going to play through your computer speakers. So anyone who's listening over the phone needs to unmute their computer speakers. I'm going to start the video now.

(Video plays.)

MS. THOMPSON: Now, you'll notice in that video that they actually focus on both bullying and harassment together, and that's why I put it in the intervention category. They're looking at a variety of behaviors that are impacting workers on the site. And ultimately B.C. is also doing a study where they find that a lot of the safety incidents that happen – the majority of safety incidents that happen – actually have some form of bullying, hazing, or harassment leading up to those incidents.

So last I want to talk about prevention. Prevention is all about stopping it before it starts. This is where you're hoping that you don't ever have to get reports. You're wanting to work toward that zero incidence of harassment happing on your worksite.

Prevention works best in tandem with having both a good intervention training and also a good response training; and then actually following through on those policies. So for example, if you have a policy that says you do not tolerate harassment and you are unable to follow through on whatever sort of ramifications for someone who is harassing another person, but you're not able to follow through, prevention's not going to be able to follow either, because folks are not going to have faith in the system.

So it's really important that for prevention to be successful that it's working well in tandem with your other trainings. Prevention also often incorporates parts of an intervention training, like awareness and skill-building.

So at its core, prevention is about cultural change. It's asking the question, how do you set the expectation in your workplace from the moment that someone walks in that you will not tolerate harassment?

So I'm going to give you an example of how we do this in our culture all the time. So you have a new employee starting and you tell them that it's really important to be on time for work; and that in order to meet that expectation they should probably arrive 15 to 20 minutes early.

If the first day they arrive 15 to 20 minutes early and no one is there or the folks that are there are milling around and talking and clearly not ready for work, that employee is going to know that there's maybe some leniency there; and the next day they're not going to show up 15 to 20 minutes early. They might wait until 5 or 10 minutes early.

If, on the other hand, the employee shows up 15 minutes early, everybody is already ready to go, looking like they're ready to go for work, and they feel like they're the last one to show up, they're probably going to make sure they're 20 minutes early the next day. So there are nonverbal ways that we show to folks what our cultural expectations are in a worksite and we need to think about it in the same way with harassment; very similar to the movement around safety.

I know that that was a brief overview for you all, but I hope that you were able to see some resources and some ideas about how you can approach harassment. I'm more than happy to be there for folks who are looking to implement some anti-harassment training. Here's my contact information with Oregon Tradeswomen. Us as well as many other organizations offer technical assistance in these areas, so I'm happy to connect you with other organizations closer to you as well.

Finally, I wanted to share this resource page with you. This is links to information that was mentioned throughout our training today. And in particular, under the DOL Office of Apprenticeship there is that link one more time to their anti-harassment resources, and that's where you can find more information about the interactive training that they're putting together and more of the details about what are required in the regulations if you have questions after that.

So with that I'm going to go ahead and turn it over to Chad Aleshire from the Department of Labor and he will lead us in the question and answer period.

CHAD ALESHIRE: Thank you so much and thank you to all of our speakers. We appreciate you going through the presentation. And I want to thank the audience for the questions coming in. I'm looking through now. We're going to give it a second for additional questions to come in.

I know Meg touched on this briefly through the chat, but Meg, someone had asked in the "looking ahead" slide, why there was no reference to the ethnic aspect of utilization analysis. I know you're giving us a quick response to that, but can you touch on that real quick?

MS. VASEY: Absolutely, Chad. The utilization analysis – I apologize, Grace (sp) – was just a quick placeholder that includes some ethnicity.

The full utilization requirements will be through the DOL. I also wanted to make sure that people understand that while (me ?) and other presenters today have given a lot of information about the Department of Labor requirements in the EEO regs, we are not spokespeople for the Department of Labor, and there is a lot of – the definitive requirements will be given to you through the Department of Labor, and there's a lot of great information on the website.

We don't have the full implementation of the utilization analysis guidance yet out of the Department of Labor, but I expect it to be there soon.

MR. ALESHIRE: Thank you, Meg. Appreciate it.

And then one other question come in for Patrick. Patrick, is there a link to the side-by-side document you had referred to? And you know what? I see that link you have provided in the presenter's chat. We're working with Jon here behind the scenes; we'll put that into the main chat area for folks so that they can view it.

So the quick answer is yes, there is a link to the side-by-side document that Patrick referred to, and we're going to add it to the main chat now.

And we're waiting for a few more questions to come in; we see people typing now.

Tiffany, I know you wanted to make a couple quick comments also. You want to jump in there?

MS. THOMPSON: Sure. I just wanted to point out that in addition to the resources available on the DOL website there's a link, as Felecia mentioned, to the WANTO regions; and each of us have a website with a lot of resources around anti-harassment training, around other pieces of these regulations that are coming out. So folks should feel free to access those resources as well. We've made them all available on our websites for free, so I'd encourage folks to do that.

MR. ALESHIRE: Thank you much, Tiffany. Appreciate it.

Another question coming in. "Can you please address how people with disabilities can or cannot be included in construction apprenticeships?" Let's see. Bonnie (sic), if you're out there, do you want to try and take that one?

MS. VASEY: I can take it, Chad. This is Meg.

MR. ALESHIRE: Oh, Meg. I'm sorry. I said Bonnie; I meant Meg. I apologize.

MS. VASEY: It's all right.

Disability – it's important for everyone to, first of all, understand the broad range of the definition of disabilities. Oftentimes people consider disabilities to be only major physical impairments which might make the accommodation of folks in the construction apprenticeship world particularly challenging.

You would note that color blindness is a challenge for electricians, not so much for carpenters. It is considered a disability. Also, issues like ADHD; other kinds of disabilities that may not come to mind – still, folks suffering from these impairments are also included in the disability population.

Most construction apprenticeships that we look at – (inaudible) – difficulty require that their apprentices be physically able to do the work, and that is sort of a rock-bottom requirement. However, oftentimes you will find that people who are performing or applying for your programs are still within the definition of a disabled person but they're not going to necessarily identify themselves to you in this context.

The Department of Labor I know – again, we don't speak for them – but is looking at the issue of how to track this population. Disability questions – one must ask folks to self-identify but cannot compel your employees to identify themselves as disabled. I think the Department is looking at a way of tracking this through an anonymous – or the self-identification to take place more anonymously, as they're definitely trying to include this population more aggressively within the apprenticeship community broadly.

So I think that if we look at the issues of the disability population in its broader context, I think the construction community will be able to include more individuals. I expect more guidance from the Department of Labor, and I understand that it's in the works.

MR. ALESHIRE: Great. Thank you so much.

All right. Thanks to our participants here. The questions continue to come in.

Let's go with the next one that came in around affirmative action. "Does the affirmative action plan require apprenticeship sponsors to have more than five apprentices, or does it apply to all apprenticeship sponsors according to DOL?"

MS. HART: Hi. This is Felecia Hart. In the new regulations it gives the sponsors two years to develop an affirmative action plan once that program has been registered. If you're a new program you have two years after the program is registered to develop an affirmative action plan.

MR. ALESHIRE: And that would be for all programs?

MS. HART: Yes.

MR. ALESHIRE: OK. All right. Thanks, guys. The questions are rolling in and we're tallying them up here.

"Where can we locate a list of approved disabilities?" And I apologize; we don't have a URL handy. So I tell you what; we'll work internally here in L.A. to provide a link back out to everyone as follow-up to this. Good question; we'll see how we can get back to you. (Pause.)

And just bear with us. We're uploading new questions as they're coming in.

"We are a pre-apprenticeship program" – this is coming in from Mark. "We are a pre-apprenticeship program. What are our responsibilities?"

MS. THOMPSON: Hi, Mark. This is Tiffany.

So as a pre-apprenticeship program they're actually not registered with the federal Department of Labor. Some states do have a registration that happens within your state, so I would encourage you to check with your state because you might have some requirements there. But under these particular regulations we do not have any legal requirements.

However, I would encourage you as a pre-apprenticeship program to be implementing many of these pieces because your apprentices will be going on to programs where those things are required. It's a great way to support your partners who hire your graduates.

MS. VASEY: And Tiffany, if I could add to that.

Depending upon your funding stream, if you're getting educational dollars, you may have other requirements under the educational EEO regulations. So you should double-check what requirements you have not only with your state but also through your funding streams.

MS. THOMPSON: Absolutely. Thanks for adding that, Meg. That's really important. Private foundations may have similar requirements.

MS. VASEY: Yes.

MR. ALESHIRE: All right. Thanks, everyone. We're keeping an eye on the time, looking for additional questions coming in.

All right. I'll throw this one out to the group; we'll get some feedback here. "In identifying an apprentice's disability status, wouldn't a check-off on the apprenticeship agreement form be just as reliable – maybe more so – than an invitation? Alternatively, can't the utilization analysis rely on the number of participants who request a reasonable accommodation?"

MS. VASEY: This is a tricky area of the law and privacy rights, and I think the Department of Labor and other state apprenticeship programs are trying to deal with it appropriately.

So in terms – most – the procedure tends to be a request for self-identification, but there's no way to compel somebody to identify themselves as disabled. So I'm not sure what the best procedure for collecting data is going to end up; and again, I believe the Department of Labor – and others, I don't mean to speak for you – but I believe that there will be further guidance here coming forward under these new regs.

MR. ALESHIRE: Thank you. We've got a couple more questions coming in.

We had a question come in from Jeffrey Vincent, and this is one we may have to get back to the larger group and directly to you and some of the other folks that are interested, Jeffrey. "Are there any resources that address the unique responsibilities of jointly-sponsored apprenticeship programs who are not the actual employer of apprentices?"

I'm looking to our speakers here. On that one I tell you what we're going to do. Let us try to put – see what resources we have available and get back to you individually. I tell you what; if that question was of interest to you as well, could you please shoot Felecia Hart a quick email? So when we do respond we make sure we get it out to the right folks. Appreciate that.

MR. REARDON: Hey, Chad, can I chime in with a quick comment on that?

MR. ALESHIRE: Yeah. I would love you to. Thanks.

MR. REARDON: Thanks. So one thing to keep in mind is that the obligations within the regulations are for registered apprenticeship sponsors. So a joint apprenticeship training committee is the registered apprenticeship sponsor of record as required to fulfill all obligations within the state and federal regs, not necessarily the employer.

However, I would encourage all the joint programs to trickle the information down to their employers in order to implement these, especially considering that you'll notice a lot of the language in the federal regulations requires all registered apprenticeship sponsors and program – anyone that's affiliated with the program in terms of implementation, that they also understand all of this and adhere to it and are in compliance.

MS. VASEY: If I could also add to that, Chad. It's my understanding that while a registered apprenticeship program may not have control over the hiring and firing decisions, they are responsible for the partnership with that employer; and that if that employer is, so to speak, a repeat offender when it comes – to your awareness – that they're in violation of EEO regs, that you would have an obligation to work with that employer or perhaps not work with that employer depending upon the outcome of your efforts to make them aware of what is expected for your apprentices.

I think this is a policy decision that programs should look to have within their own internal guidance.

MR. ALESHIRE: Thank you much. We are still reviewing questions. Let's see here. Just bear with me; I apologize. (Pause.)

OK. We have a question coming in about annual harassment training. "When it comes to harassment training, can you provide examples of how larger programs with hundreds of employees have accomplished this efficiently or effectively?" Do we have examples of any of our speakers?

MS. THOMPSON: This is Tiffany here. There are a lot of really large programs that have implemented anti-harassment training in agreement with the employers; so doing that in conjunction with them and just offering it in rounds on that basic interactive training.

Some places have decided to use interactive training also as things that are available online, where they can do interactive questions that way. I would encourage you to as much as possible do things in person. They tend to be much more effective when that's available.

Second, when you start to get into the intervention and prevention categories there's an amazing program called Green Dot that Oregon has been partnering with to do some testing for implementing within the construction industry. They actually do anti-harassment training with the entire Air Force as well as a majority of the Army bases. Some of the ways they've done that is by doing train-the-trainers, to get more folks who are interested in helping with these prevention efforts engaged in providing training to the employees.

So there's a lot of different creative ways you can approach that, and not just your strict, like, everyone has to be in the same room at the same time.

MR. ALESHIRE: Thank you. Appreciate the response there.

All right. I'm looking at the clock; we are right at the hour. I want to thank all of our speakers and all of you participants for the great questions. Again in some cases, we will reach out to you, and I do believe they're also sharing Felecia's email address now on the additional resources question. So we appreciate – bear with us as we get some responses there.

And with that I'm going to turn it back to Felecia and our webinar team.

MS. HART: Good afternoon. Once again, thank you for participating on our call today. I want to thank our presenters and thank all of the individuals who took out time in their busy schedule to join us on this call. At this time I would like to turn it over to Laura.

(END)