Employer Acceptance Agreement Template Appendix D to Registered Apprenticeship Standards

Suggested Additional Provisions

June 2022

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**Author**

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# Acknowledgments

## About JFF

JFF is a national nonprofit that drives transformation in the American workforce and education systems. For nearly 40 years, JFF has led the way in designing innovative and scalable solutions that create access to economic advancement for all. www.jff.org

## About the Author

Donna Lenhoff, principal of Donna Lenhoff Associates, is a lawyer and policy developer. She has nearly 40 years of experience implementing, teaching, writing about, and advocating for employment and civil rights law and policy in the U.S. Department of Labor and in non-profit organizations representing employees’ interests. Donna Lenhoff Associates provides best-in-class solutions to make it as easy as possible for organizations, especially Registered Apprenticeship programs, to foster equal employment opportunity, diversity, inclusiveness, and equity.

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# Introduction

Some Registered Apprenticeship Programs (RAPs) are structured as *group programs—*meaning that the apprentices enrolled in their programs do not work for the sponsor, but instead work for companies that participate in the apprenticeship program. These *participating employers* are the apprentices’ employers of record and are responsible for the apprentices’ on-the-job training.

When participating employers begin their participation in a RAP and set up their relationship with the RAP sponsor, they enter into **Employer Acceptance Agreements** (EAAs) with the sponsor that places apprentices with them. The U.S. Labor Department’s Office of Apprenticeship (OA) provides an EAA template for the sponsor and participating employers to use. (Completed EAAs are appended to the sponsor’s Registered Apprenticeship Standards as Appendix D.)

Some group-program RAPs have found that the OA’s EAA template is not explicit enough in specifying what participating employers must do to fulfill their obligations under the Apprenticeship EEO regulations (29 CFR part 30). To fill this gap, JFF and Donna Lenhoff Associates are providing a version of the EAA template that contains additional provisions for RAP sponsors. These provisions supplement the OA template; they are not inconsistent with it in any way. The suggested additional terms are the ones highlighted in yellow below.

Please note that the suggested terms in this version of the EAA template have not been reviewed or approved by the OA.

**Appendix D**

**EMPLOYER ACCEPTANCE AGREEMENT**

**ADOPTED BY**

(insert Sponsors' names or organizations)

**DEVELOPED IN COOPERATION WITH THE**

**U. S. DEPARTMENT OF LABOR**

**OFFICE OF APPRENTICESHIP**

**Appendix D**

**EMPLOYER ACCEPTANCE AGREEMENT**

The undersigned employer hereby subscribes to the provisions of the attached Apprenticeship Standards formulated and registered by the (Insert Sponsors' names or organizations) and agree(s) to carry out the intent and purpose of said Standards for (Insert occupations) and accompanying Appendices and to abide by the rules and decisions of the Sponsor established under these Apprenticeship Standards. (Insert Sponsors' names or organizations) and the Employer have been furnished a copy of the Standards and have read and understood them, and request certification to train apprentices under the provisions of these Standards. (Insert Sponsors' names or organizations) agree(s) to provide the undersigned employer with any updates to the Standards and Appendices promptly.

On-the-job, the apprentice is hereby assured qualified training personnel and adequate supervision during the apprenticeship. The training should follow the approved Work Process Schedule and Related Instruction Outline including the rotation of tasks. The employer further agrees to follow the selection procedures per the approved Standards or develop alternative selection procedures that are consistent with the requirements set forth in 29 CFR § 30.10(b), and to provide the Sponsor with a description of those alternative selection procedures. The employer further agrees to accept for employment apprentices who are selected and referred to him/her by the Sponsor to the extent appropriate employment opportunities are available.

The undersigned employer further agrees, for the duration of the apprenticeship:

* To provide all apprentices registered with the Sponsor’s program with equal employment opportunity throughout their apprenticeship, including a work environment free of discrimination, harassment, and retaliation;
* To comply with all applicable federal, state, and local laws prohibiting discrimination in employment that cover applicants for apprenticeship and apprentices;
* To develop and implement reasonable procedures for ensuring that employees who regularly work with its registered apprentices participate in anti-harassment training and periodic Equal Employment Opportunity sessions as provided or directed by (Insert Sponsors' names or organizations);
* *[Include this clause if the Sponsor is required to develop an AAP and under the Sponsor’s selection procedures, some or all applicants apply to the undersigned employer directly.]* To extend to all applicants invitations to self-identify as individuals with disabilities, using the Voluntary Disability Disclosure Form found at <https://www.dol.gov/sites/dolgov/files/ETA/apprenticeship/pdfs/Disability_Disclosure_form-671.pdf>, and to supply the completed forms to (Insert Sponsors' names or organizations) upon request;
* [CHOOSE ONE OF THE FOLLOWING TWO ALTERNATIVES]
	+ (*If Sponsor has an AAP that requires it to undertake targeted outreach, recruitment, or retention activities that require the cooperation of the participating employer, include the following provision.)* To undertake the following targeted outreach, recruitment, and/or retention activities, as outlined in (Insert Sponsors' names or organizations)’ Affirmative Action Plan:

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OR

* + (*If Sponsor is not (yet) required to develop an AAP, or if sponsor’s AAP does not require it to undertake targeted outreach, recruitment, or retention activities that require the cooperation of the participating employer, include the following provision.)* If in the future, (Insert Sponsors' names or organizations) adopts an Affirmative Action Plan that requires it to undertake targeted outreach, recruitment, or retention activities that require the cooperation of the undersigned employer, to undertake such targeted activities, subject to the undersigned employer’s review of such activities and acceptance of the obligation to undertake them.
* Upon request, to provide (Insert Sponsors' names or organizations) with any information needed to implement its Standards and Affirmative Action Plan, to comply with laws and regulations governing the apprenticeship, or to respond to any requests made by the Registration Agency or otherwise required by law; and
* To permit the Registration Agency to make on-site inspections of locations where (Insert Sponsors' names or organizations)’ apprentices work.

The undersigned employer understands that if it does not comply with the Standards and this agreement, (Insert Sponsors' names or organizations) will no longer place apprentices with the employer and will transfer any registered apprentices then working for the employer to an employer that is in compliance with the Standards and this agreement.

This employer acceptance agreement will remain in effect until canceled voluntarily or revoked by the Sponsor, Employer or the Office of Apprenticeship.

(Manual signatures required)

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*(Print Name of Employer Representative)* *(Print Name of Sponsor Representative)*

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 *(On Behalf of Employer) (On Behalf of Sponsor)*

**Date:**  **Date:**

Employer Title:

Name of Company:

Address:

City/State/Zip Code:

Phone Number:

Fax:

Email:

cc: Registration Agency

Attachments:

(Insert Sponsors' names or organizations) Standards

Appendices to (Insert Sponsors' names or organizations) Standards