



CareerWise Colorado, dba CareerWise USA
400 S Colorado Blvd, Suite 400
Denver, CO 80246

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Brent Parton
Principal Deputy Assistant Secretary
U.S. Department of Labor
Employment and Training Administration
200 Constitution Ave NW
Washington, DC 20210

Docket No. ETA–2023–0004
Regulatory Identification Number (RIN) 1205–AC13

RE: Public Comments on the U.S. Department of Labor’s Proposed System Enhancements to the National Apprenticeship System

Dear Principal Deputy Assistant Secretary Parton,

Thank you for the opportunity to comment on the U.S. Department of Labor’s (DOL or the Department) notice of proposed rulemaking (NPRM), [National System Enhancements](#), which was published in the Federal Register on January 17, 2024.

CareerWise is a national apprenticeship intermediary focused on providing apprenticeship opportunities to youth who typically begin their apprenticeship or are recruited while in high school. We envision a career education system in which students of all backgrounds can learn in both classroom and workplace settings, developing the skills and network young people need to thrive in a changing economy, redefining how employers develop the talent required to power their growth, and increasing equity and prosperity across society to the benefit of students and employers alike. Apprenticeship is central to this dual career education vision.

From our inception in 2016 to now, we’ve enrolled over 1900 apprentices through our affiliated sites in Colorado, Indiana, New York, and Washington, D.C. in more than two dozen occupations, primarily in the career pathways of finance, education, business operations, information technology, and advanced manufacturing. Success for our apprentices comes in many forms: some go on to become key contributors at their apprenticeship companies, others enroll in colleges and universities to pursue career-oriented degrees, and many do both. Critically, many employers value the apprenticeship program enough to make it a key part of their talent development strategy, and it’s through their investments that we continually can improve and expand our programs.





We commend the Department for its goals to increase quality, equity, and innovation in apprenticeship through this rulemaking. CareerWise shares these goals in its mission to greatly expand apprenticeship. Our central belief is that the system must work better for all stakeholders to do so, and it must attract younger participants. The average age of newly enrolled apprentices is 29 years old, which highlights the fact that the registered apprenticeship system isn't designed specifically as a career pathway for young people, unlike apprenticeship systems in many other countries. Although we are disappointed the proposed rule doesn't explicitly name youth as a focus in its priorities, we are encouraged to see emphasis on innovation in programming aimed at young people through the proposed CTE Apprenticeship Program.

Additionally, we believe industry engagement should be central to the expansion of apprenticeship and the design of regulatory frameworks because without the willing participation of employers, apprenticeship programs can't exist. Industry holds the knowledge to determine what occupations and training are relevant, and their collective input is essential to the development and alignment of industry and occupational skills frameworks. We're concerned the proposed rule includes changes that could undermine the Department's efforts to expand apprenticeship by introducing new requirements that could deter employers and other key system players from participating.

CareerWise is excited to see the intentional alignment between education and labor in this new model. Encouraging states to form industry and interagency partnerships to design and develop apprenticeship pathways aligned to industry skills frameworks to provide structured training opportunities for CTE students is something we fully support. Our primary concern is that by creating a separate model for apprenticeship, a bifurcated system will result, only adding to the confusion of employers and prospective apprentices about the expectations and benefits of participation. CareerWise believes a comprehensive system of apprenticeship is necessary to advance the needs of the field, and such a system should invite CTE alignment rather than relegate it to a separate, regulated category of apprenticeship, and incentivize alignment between education agencies and apprenticeship agencies across all apprenticeship programming.

Our success in serving high school and college-enrolled youth in apprenticeships tells us that CTE alignment can be accomplished, and there are several additional changes that could be made to advance apprenticeship adoption. The CTE framework limits who can be served and falls short of our vision for apprenticeship system modernization that prioritizes serving all youth in all occupations. If the Department wishes to create a separate model within the system, we recommend that they consider a pre-apprenticeship model that affords more flexibility in its design based on industry needs and state education requirements, and explicitly and seamlessly ties into the registered apprenticeship system. By offering CTE apprenticeship as a pre-apprenticeship model that complements registered apprenticeship, the Department of Labor acknowledges that legislation rather than regulation is the proper way to establish a new federal program that would require significant technical assistance to states and local communities to make necessary changes in

governance, implementation, and accountability. To incentivize interagency collaboration, apprenticeship providers should be able to seamlessly access a diverse set of consolidated federal funding streams to support apprenticeship (e.g. Pell, Perkins, etc.) to serve a broader and more diverse set of young people.

In our comments below, we offer recommendations, endorsements, and questions pertaining to the various sections of the proposed rule for the department to consider. These comments are informed not only by our experience as an intermediary, but also by the views and experiences of our network of practitioners serving as local intermediaries for apprenticeships across the country.

1. CTE Apprenticeship Programs should be more flexible in their parameters to appeal to the needs of industry, and as a result, they should be allowed either as pre-apprenticeship programs or registered apprenticeship programs [Subpart B].

CareerWise shares the Department's vision of greater system alignment between labor and education in support of apprenticeship programs. However, we believe the design of the proposed CTE Apprenticeship model should be reconsidered to offer greater appeal and benefit to employers and clearer goals for participating apprentices. While CTE is a very valuable and important component of our education system and its objective to prepare students for careers is aligned to the apprenticeship system, the CTE framework also limits how schools and businesses can collaborate because of the defined scope of its pathways. Without a resulting journeyworker certificate, the benefits of such a model to employers and apprentices are not as clear. The extra emphasis on related instruction (540 hours minimum) cuts into valuable on-the-job learning that leads to productive work for employers. If DOL were to offer this program as a more flexible pre-apprenticeship program with the clear purpose of preparing students to enter further career education in apprenticeship or postsecondary, we believe it could be a complementary model that enhances the robustness of the system. If CTE Apprenticeships must exist separately, their hours requirements should be relaxed, particularly for related instruction. States should have the flexibility to determine the standards for CTE aligned apprenticeships and pre-apprenticeships that suit their education systems.

2. Intermediaries are crucial to registered apprenticeship expansion and should be encouraged to support apprenticeships. We support the new definition of "intermediary" [29.2]. As an apprenticeship intermediary, CareerWise serves as a group sponsor for many of our employer partners. In non-traditional occupations, apprenticeship is still an emerging training and recruitment strategy and one that is unfamiliar to most employers. To maximize employer engagement in the apprenticeship system, apprenticeship needs to be well understood, easy to adopt, and meet the needs of industry. CareerWise helps coordinate the local ecosystem players: K-12, postsecondary, and industry to make apprenticeship

programs work for all stakeholders. We believe more intermediaries are needed to support the expansion of apprenticeship, and intermediaries of a variety of types also should be encouraged to sponsor and implement apprenticeships and pre-apprenticeships, including those aligned to CTE [29.24(d)(1)].

- 3. National Standards for apprenticeship occupations should guarantee simpler registration processes and reporting requirements for sponsors and should be proactively developed for suitable occupations.** National Occupational Standards [29.13] will be a valuable resource to the field, especially if they can be developed proactively and adopted easily by new and existing sponsors. Program standards that are in alignment with National Occupational Standards should receive guaranteed accelerated approval. National Program Standards [29.14] and National Guideline Standards [29.15] should ensure program sponsors receive full support of the state OA office or state apprenticeship agency, and they should guarantee eligibility for any state granted funds that are made available to apprenticeship programs. CareerWise currently has National Program Standards for around 25 occupations. We developed these standards with the idea that as we expanded our network outside of Colorado, these program standards would ease the administrative burden on our partner organizations and employers. However, we have found this is not the case for a variety of factors that practically encourage sponsors to work with their state apprenticeship offices. As a result, we have gone through lengthy approval processes for standards in multiple states, spending great resources to do so. Codifying National Standards and their reciprocity is an important step for DOL, but we believe more action is needed to maximize the benefits of developing such standards.
- 4. Industry Skills Frameworks should be designed to support all apprenticeships and pre-apprenticeships and they should align with National Occupational Standards that are informed by industry leaders.** Industry skills frameworks [29.24(b)] are a good idea and a missing component of the current system, but they will fail to meet the needs of employers if they are not linked to in-demand occupations. Early career seekers, such as youth apprentices, especially benefit from a broader exposure to learning on-the-job. Many employers in our network also favor this approach and have developed rotational models where young apprentices alternate time in departments in their first year of training, learning competencies that are broadly relevant and shared across occupational standards and work process schedules for similar roles. In the second year of training, apprentices begin to narrow the focus of their training. This model allows employers to home in on the interest, needs, and abilities of apprentices as they advance. Industry skills frameworks would provide more guidance for programs to develop in this way and more clearly articulate the concept of career pathways. To create alignment between the current registered apprenticeship system and apprenticeships and pre-apprenticeships linked to CTE programming, industry skills

frameworks must be in alignment with National Occupational Standards [29.13]. Industry leaders should be central in developing both industry skills frameworks and National Occupational Standards. Moreover, the Department of Labor (DOL) should invite third-party industry-representing groups to develop these frameworks and occupational standards with DOL approval.

- 5. The competency-based approach is valuable and should remain an option for all apprenticeships.** Nearly all CareerWise apprenticeships are competency-based; it's the preferred model of our employer partners. Elimination of this approach [29.8] would make our apprenticeship programs much less attractive to employers, and potentially limit the growth and expansion of apprenticeships across the country. The competency-based approach allows our employers to evaluate apprentices' skills throughout the program and decide when apprentices demonstrate that they can advance to the journeyworker level. Recommendations of hours for on-the-job training and related instruction are helpful guidance for the design of quality programs, but they should correspond with industry frameworks and occupational standards set by industry that are kept current and not be predicated on past standards developed for time-based programs or blanket minimum requirements set by the DOL. Minimum hours requirements for apprenticeship don't necessarily ensure a quality program and can put up obstacles to program development and implementation. Tracking training hours by competency is difficult to do, especially when so many competencies are taught or learned concurrently, and the administrative burden on employers and sponsors detracts from the support and training resources they provide. Under current regulations and recommendations, all CareerWise apprenticeships are designed to meet or exceed 2000 hours of on-the-job training and 144 hours of related instruction. However, many of our apprentices can learn more quickly and prove themselves valuable to their employer in less time, and they have been hired into full-time, family sustaining wage roles in advance of meeting those recommendations. The advanced standing process may allow for this, but as proposed it is more confusing than the current model.
- 6. Postsecondary credits should be a goal of many apprenticeship programs, but not a requirement.** The proposed CTE Apprenticeship program requires 12 postsecondary credits offered for every apprenticeship program [29.24(c)(2)]. CareerWise supports the idea of incorporating postsecondary credit-bearing courses into apprenticeship programs as appropriate. However, it is not universally practical to require such credits, and such a requirement likely will become a barrier to program development, relevancy, and adoption. Requiring postsecondary credits may force unrelated courses to be included in the apprenticeship. Rather than forcing college courses onto apprenticeship, credit should be awarded by colleges and universities for apprenticeship on-the-job training and related instruction to accelerate credential and degree attainment for apprentices in acknowledgment

of the quality training they received and skills they've developed. The Department should work to incentivize this type of system alignment.

7. The quality of apprenticeship programs should be measured on outcomes and not governed by inputs. CareerWise applauds the efforts put forth in this rulemaking to increase transparency, accountability, and equity for apprenticeship programs. However, we are concerned that adding certain requirements to the registration and standards development processes will not have a meaningful impact on outcomes. Instead, the additions will increase the compliance burden on program sponsors and employers to such an extent that registration and growth of programs will be discouraged. Our success as a group sponsor has been predicated on easing the burden of paperwork on employers to allow them to focus on what they need to do to make the program successful: hire, train, and mentor apprentices. We believe the following proposed requirements will increase burden on sponsors, employers, and apprenticeship agencies:

- *Recruitment plans [29.10(a)(4)]:* Although well-intentioned, as an input to program development, equitable recruitment plans will likely become an exercise that slows down the application process. It can take time to forge necessary community partnerships. Instead, the Department and apprenticeship agencies should provide technical assistance to sponsors to support coordination with workforce system and community organizations. Registered apprenticeship programs should be evaluated on the equity of their outcomes.
- *Financial sustainability disclosure [29.10(a)(5)]:* For program development and approval, this will significantly slow the process and may turn employers away. We support this only in the case where sponsors or employers are applying for significant government funding awards.
- *Disclosure of workplace violations and actions to remedy [29.10(a)(6)]:* Creating an apprenticeship program shouldn't create additional reporting on previously determined violations, and such a requirement may deter participation.
- *Certifying the qualifications of trainers and instruction providers [29.8(a)(7)]:* These provisions are redundant and administratively burdensome because education institutions and employers have their own job requirements for personnel, and such personnel may change frequently over time. Additionally, these requirements may act to limit related instruction offerings, as they could prevent approval of quality virtual training courses.

- *Listing supportive services in the apprenticeship agreement [29.9(c)(10)]:* We coordinate and refer supportive services to meet the needs of individual apprentices. Forcing sponsors to list supportive services available at the onset may limit offerings. Supportive services should be nimble to meet apprentice needs.
- *Listing specific postsecondary credits and credentials in the apprenticeship agreement [29.9(c)(12)]:* As an intermediary that serves apprentices enrolled in many different education institutions, we customize detailed related instruction plans, which are aligned to the Related Instruction Outlines in the program standards, to the needs of apprentices and employers and adjust them over time to compensate for competency development. Listing them in the agreement wouldn't afford us the flexibility we need to coordinate the appropriate training.

8. End-point assessments should be optionally offered if there is a consistent, industry-defined outcome being measured, but requiring them will be a barrier to registration and apprenticeship completion for some programs [29.8(a)(11)].

CareerWise supports the idea of end-point assessments for apprenticeship programs as an objective measure of competency attainment when there is a standard set by industry that is relevant and accessible to apprentices, as there is in many skilled trades, degree, and licensure programs. However, the requirement of developing end-point assessments for all programs will saddle many programs with another check-the-box requirement that might delay or defer program registration due to costs or capacity. Tasking individual companies and sponsors to create their own end-point assessments will result in a lot of duplication of efforts and will miss the mark on standardizing the value of apprenticeship completion to industry and educational institutions. Additional guidance on the standardization of competency-based assessment that is informed by industry would be necessary for a successful DOL initiative around end-point assessments, particularly in emerging apprenticeship industries such as IT, business, and finance. The use of competency-based assessment as an end point further makes the case for the continued allowance of competency-based approaches. The cost of developing such assessments should be balanced with relaxing requirements at the front-end of program development and reporting.

Our vision for a comprehensive apprenticeship system that is outcomes focused, industry-led, and oriented to skills attainment is encapsulated in these suggestions to modify the proposed rule. Thank you for the consideration and time taken to read and incorporate these comments into your final rule