

MAJORITY MEMBERS:

ROBERT C. "BOBBY" SCOTT, VIRGINIA
Chairman

SUSANA DAVIS, CALIFORNIA
RAUL M. GRIJALVA, ARIZONA
JOE COURTNEY, CONNECTICUT
MARCIA L. FUDGE, OHIO
GREGORIO KILLI CAMACHO SABLAN,
NORTHERN MARIANA ISLANDS
FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON
MARK TAKANO, CALIFORNIA
ALMA S. ADAMS, NORTH CAROLINA
MARK DEBAULNER, CALIFORNIA
DONALD NORCROSS, NEW JERSEY
PRAMILA JAYAPAL, WASHINGTON
JOSEPH D. MORELLE, NEW YORK
SUSAN WILD, PENNSYLVANIA
JOSH HARDER, CALIFORNIA
LUCY MCBATH, GEORGIA
KIM SCHRIER, WASHINGTON
LAURENCE FOXWOOD, ILLINOIS
JAHANA HAYES, CONNECTICUT
DONNA E. SHALALA, FLORIDA
ANDY LEVIN, MICHIGAN
ILHAN OMAR, MINNESOTA
DAVID TRONE, MARYLAND
HALEY M. STEVENS, MICHIGAN
SUSIE LEE, NEVADA
LORI TRAHAN, MASSACHUSETTS
JOAQUIN CASTRO, TEXAS



COMMITTEE ON EDUCATION
AND LABOR
U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

MINORITY MEMBERS:

VIRGINIA FOXX, NORTH CAROLINA
Ranking Member

DAVID P. ROE, TENNESSEE
GLENN THOMPSON, PENNSYLVANIA
TIM WALBERG, MICHIGAN
BRETT GUTHRIE, KENTUCKY
BRADLEY BYRNE, ALABAMA
GLENN GROTHMAN, WISCONSIN
ELISE M. STEFANK, NEW YORK
RICK W. ALLEN, GEORGIA
LLOYD SMUCKER, PENNSYLVANIA
JIM BANKS, INDIANA
MARK WALKER, NORTH CAROLINA
JAMES COMER, KENTUCKY
BEN CLINE, VIRGINIA
RUSS FULCHER, IDAHO
VAN TAYLOR, TEXAS
STEVEN C. WATKINS, JR., KANSAS
RON WRIGHT, TEXAS
DAN MEUSER, PENNSYLVANIA
WILLIAM R. TIMMONS, IV, SOUTH CAROLINA
DUSTY JOHNSON, SOUTH DAKOTA
FRED KELLER, PENNSYLVANIA

August 23, 2019

The Honorable Patrick Pizzella
Acting Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

**RE: RIN 1205-AB85: Apprenticeship Programs, Labor Standards for Registration,
Amendment of Regulations**

Dear Acting Secretary Pizzella:

For too long, policymakers have implied that the only respectable or worthwhile option available to achieve a successful career is spending four or more years on campus to earn a baccalaureate degree. Yet, the more than seven million unfilled jobs¹ in America today suggests workers don't have the necessary skills to fill these jobs. We know skills-based education can fix our nation's growing skills gap by providing students and job seekers with the skills and hands-on experience they need to improve their own lives.

In the past several years, we have seen a rapid expansion in skills-based education like on-the-job learning, earn-while-you-learn programs, and apprenticeships. We applaud the Department's willingness to look beyond the Registered Apprenticeship program to do everything possible to help employers provide opportunities for all Americans to earn while they learn. Workforce development programs are successful only if they are adaptable to the changing needs of employers, and the Notice of Proposed Rulemaking (NPRM) issued on June 25, 2019 recognizes this through the proposed establishment of Industry-Recognized Apprenticeship Programs, or IRAPs.

IRAPs cut through bureaucratic red tape to put businesses and employees at the center of the conversation. The proposed flexibility in the NPRM will allow businesses the ability to quickly

¹ <https://www.bls.gov/news.release/pdf/jolts.pdf>

meet labor market needs. As an example, placing the burden on Standards Recognition Entities to ensure that Equal Employment Opportunity requirements are met will allow small businesses to focus on serving program participants while also protecting their apprentices from discrimination. These changes will help foster continued innovation that recognizes the dignity of all work and provides another tool for apprentices to move into meaningful work in the rapidly evolving 21st century economy. Overall, we are encouraged by the Department's work to balance transparency, accountability, program quality, and program flexibility, but the NPRM can be improved in several respects.

We were disappointed to see that the construction sector was specifically excluded from participating in IRAPs. Therefore, we strongly urge that the final rule be impartial when considering industries or economic sectors eligible to participate in IRAPs. It is vital the Department of Labor, acting through the Employment and Training Administration (ETA), put in place rules that focus on program quality rather than determining what industries or sectors are eligible to participate in such a wide-ranging workforce development effort. According to ETA, just 34,458 individuals completed a registered construction apprenticeship program in 2018.² This makes up less than half of one percent of all construction employees.³ The traditional apprenticeship program should be seen as just one tool in the tool box of employers, and IRAP could allow the construction industry the flexibility needed to fill the 440,000 jobs available in 2019.⁴ If we are going to meet the growing demand for apprenticeships in our nation, it would be a mistake to exclude any industry or sector.

In addition, part of establishing a successful program is setting up performance indicators so employers are held accountable – ensuring apprenticeship programs serve participants well. We would like to see IRAPs include the earnings outcomes of participants as a performance metric in order to provide a further incentive for programs that are successfully preparing apprentices for permanent jobs.

We are encouraged by your work to balance transparency, accountability, program quality, and program flexibility. We look forward to a final rule which includes additional improvements. Working together we can ensure that IRAPs create as many career opportunities as possible by encouraging employer innovation and allowing students and families the freedom to choose the path that is best for them.

Sincerely,

Virginia Foxx

Virginia Foxx
Ranking Member

² https://doleta.gov/oa/data_statistics.cfm

³ <https://www.bls.gov/cps/tables.htm#union,%20https://www.bls.gov/cps/cpsaat42.pdf>

⁴ <https://workforce.abc.org/>

Virginia Foxx

Virginia Foxx
Ranking Member

David P. Roe

David P. Roe, M.D.
Representative

Glenn GT Thompson

Glenn "GT" Thompson
Representative

Tim Walberg

Tim Walberg
Representative

Brett Guthrie

Brett Guthrie
Representative

Bradley Byrne

Bradley Byrne
Representative

Rick W. Allen

Rick W. Allen
Representative

Lloyd Smucker

Lloyd Smucker
Representative

Jim Banks

Jim Banks
Representative

Mark Walker

Mark Walker
Representative

James Comer

James Comer
Representative

Ben Cline

Ben Cline
Representative

Russ Fulcher

Russ Fulcher
Representative

Van Taylor

Van Taylor
Representative

Steve Watkins

Steve Watkins
Representative

Ron Wright

Ron Wright
Representative

William R Timmons IV

William R. Timmons, IV
Representative

Dusty Johnson

Dusty Johnson
Representative

Fred Keller

Fred Keller
Representative

Ted Budd

Ted Budd
Representative

[Faint signature]