

March 18, 2024

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

Dear Mr. Parton:

**Business Roundtable Comments on  
National Apprenticeship System Enhancements  
U.S. Department of Labor Docket No. ETA-2023-0004; RIN 1205-AC13**

**I. INTRODUCTION**

Business Roundtable appreciates the opportunity to respond to the Notice of Proposed Rulemaking (NPRM) that the U.S. Department of Labor (DOL) published on January 17, 2024, titled “National Apprenticeship System Enhancements.”<sup>1</sup>

Business Roundtable is an association of more than 200 chief executive officers (CEOs) of America’s leading companies, representing every sector of the U.S. economy. Business Roundtable CEOs lead U.S.-based companies that support one in four American jobs and almost a quarter of the U.S. GDP. Our organization’s mission is to promote a thriving U.S. economy and expanded opportunity for all Americans. Ensuring the U.S. workforce has training and skills for in-demand careers is a top priority for Business Roundtable CEOs and their companies.

Work-based learning opportunities like apprenticeships are a “win-win”<sup>2</sup> for employers and job seekers and are key to building an “ever-ready”<sup>3</sup> U.S. workforce. Business Roundtable and our CEO members support expanding apprenticeship and the full range of work-based learning opportunities.<sup>4</sup>

Business Roundtable member companies across industries sponsor and participate in registered apprenticeship programs.<sup>5</sup> Companies devote significant time and resources to these *voluntary* programs because they believe in the long-term investment they are making in their people. We submit the following comments to aid DOL in the shared goal of improving the National Apprenticeship System and encouraging greater participation in registered programs.

## **II. SUMMARY OF COMMENTS**

To ensure quality and encourage greater participation from employers and job seekers, the National Apprenticeship System should be more flexible, better aligned with career pathways across industry sectors and recognize employers' increased focus on skills, not just degrees, in hiring and career advancement.<sup>6</sup>

Some proposals in this NPRM would accomplish these goals, but others fail to provide needed flexibility and, in fact, add new unnecessary requirements to a system that many employers currently find difficult to use. As a result, we are concerned that overall, the NPRM would limit innovation and ultimately reduce participation in registered programs. To address these concerns, we recommend that DOL:

- Provide greater flexibility in requirements related to occupational suitability, core standards of registered apprenticeship and trainer qualifications;
- Withdraw burdensome requirements related to apprenticeship agreements and program registration that would deter participation in registered programs;
- Engage with stakeholders to study the benefits or incentivize voluntary use of end-point assessments rather than mandate them at this time; and
- Withdraw unnecessary recordkeeping and data collection requirements to reduce compliance burdens on program sponsors and participating employers.

We welcome the intent to create a more unified National Apprenticeship System, and we appreciate efforts to develop National Standards for Apprenticeship and improve reciprocity of registration across states. To build on these proposals, we recommend that DOL:

- Clarify the role of National Standards for Apprenticeship in accelerating the growth of registered programs;
- Implement National Standards for Apprenticeship broadly and flexibly; and
- Streamline and strengthen sponsors' ability to register multistate programs, including as part of National Program Standards.

The comments that follow address these areas of highest concern. We remain ready to assist and would be pleased to provide additional feedback.

## **III. SELECT SECTION-BY-SECTION COMMENTS**

### **Section 29.7 Occupations suitable for registered apprenticeship programs**

The NPRM proposes significant changes to the criteria used to determine if an occupation is suitable for registered apprenticeship.<sup>7</sup> Business Roundtable is concerned that the proposed requirements would limit expansion of registered programs in new and rapidly expanding occupations across sectors.

***DOL should provide substantial flexibility in the criteria to determine occupational suitability.***

Broadly, DOL should expand flexibility in the criteria to determine whether occupations are suitable for apprenticeship. The modern U.S. economy is far too dynamic to narrow the aperture of suitable occupations. Business Roundtable member companies have launched apprenticeships in nontraditional occupations such as IT, cybersecurity and software engineering. Providing flexibility to allow for new and innovative occupations is key to growing the number of employers and apprentices benefitting from registered programs.

***DOL should withdraw the proposed requirement on occupational “splintering.”***

DOL should withdraw the requirements on so-called “splintering” of occupations.<sup>8</sup> As proposed, DOL may not recognize an occupation if it “includes or replicates a significant proportion of the work processes that are covered by another occupation that [DOL] previously approved as suitable for registered apprenticeship training, but does not lead to a more advanced occupation.”<sup>9</sup> Business Roundtable is concerned that this proposal contains too many open-ended and undefined requirements. How would DOL consistently determine if a “significant portion” of an occupation overlaps with another approved occupation? How would it consistently weigh whether occupations lead to a “more advanced occupation?” Not only could this proposal unjustifiably block new occupations and innovative approaches from recognition, but it could also result in the de-registration of *currently approved* occupations with successful programs.

***DOL should withdraw the proposed requirement that occupations lead to a “sustainable career.”***

Requiring that occupations suitable for registered apprenticeship lead to a “sustainable career”<sup>10</sup> creates a burdensome and uncertain process, and DOL should withdraw this proposal. Sponsors would need to document a “wage analysis and career advancement profile” for all existing, new and revised occupations.<sup>11</sup> DOL does not explain how it would determine if such documentation supports the occupation leading to a sustainable career. Business Roundtable is concerned that this process could invite highly subjective scrutiny, deny worthy occupations recognition and limit participation in registered programs.

**Section 29.8 Standards of Apprenticeship**

The proposed core standards for registered programs are too rigid. These standards should provide substantially greater flexibility, particularly related to competency-based programs, wage progression requirements and apprentice-to-journeyworker ratios.

***DOL should maintain and strengthen the competency-based model and withdraw proposals that would erode it.***

DOL should maintain and strengthen the current option to use a purely competency-based model of registered apprenticeship and not adopt the proposed “unitary,” time-based model. Competency-based programs — geared to apprentices’ demonstrated skills and individual progression — enable employers to align an occupation’s skills and competencies to career pathways. For apprentices, competency-based programs ensure that on-the-job training focuses on upward mobility. For many Business Roundtable member companies, the competency-based model is essential for registered apprenticeship to work, as opposed to a focus on time-based elements.

A time-based model would eliminate these purely competency-based models that companies find essential. Business Roundtable member companies report that the 2,000-hour requirement would end successful, shorter-length programs in industries and occupations like technology and retail that are newer to registered apprenticeship and where “time-on-task” is often far less important as a proxy for experience and competency attainment. As a result, strengthening the competency-based approach would encourage, not deter, the expansion of registered programs in nontraditional industries and occupations. It would expand opportunities for individuals to gain the skills necessary for high-demand, fulfilling careers.

DOL should also clarify the new, separate requirement that program sponsors create a process to reduce the apprenticeship term for apprentices with prior learning or skills attainment or for accelerated progress in a program (advanced standing).<sup>12</sup> Through this proposal, DOL suggests that the new unitary approach is effectively a hybrid of the competency- and time-based models. Business Roundtable disagrees. DOL should not mandate and then create exceptions to the 2,000- and 144-hour time-based requirements. Sponsors should not have to go through this “back door” to implement a competency-based approach. Instead, DOL should directly recognize and incorporate advanced standing as part of a standalone, strengthened competency-based model of registered apprenticeship.

***DOL should provide sponsors and employers substantial flexibility in setting wages.***

The NPRM proposes requiring at least one incremental wage step during the first 2,000 hours of a program and that the final wage in the program be at least 75 percent of the journeyworker wage.<sup>13</sup> Such rigid rules may not reflect wage schedules for a diversity of industries, labor markets and skill levels — and could discourage employers from participating. DOL should withdraw the proposed requirements and allow program sponsors and participating employers to develop flexible approaches to wages, tailored to their occupations’ career pathways.

***DOL should provide flexibility to set apprentice-to-journeyworker ratios directly in the regulatory text and eliminate the “continuity of employment” requirement.***

DOL should provide greater flexibility in setting apprentice-to-journeyworker training ratios and base them on employer-specific methods and work environments. Business Roundtable welcomes the acknowledgment that a “one-size-fits-all” approach is not feasible in setting ratios.<sup>14</sup> Expanded ratios are particularly appropriate where there is a reduced safety risk (e.g., office settings). Ratios in software engineering, for example, may differ from high-hazard occupations. However, DOL should clarify this flexibility directly in the regulatory text. As drafted, the text does not acknowledge the availability of expanded ratios.<sup>15</sup> DOL should explicitly state that ratios may be more than one apprentice for every journeyworker, consistent with apprentices’ safety, supervision and training.

Business Roundtable supports the DOL proposal to eliminate journeyworkers’ “continuity of employment” as a factor in setting ratios.<sup>16</sup> We agree that such a factor is irrelevant in assessing whether a proposed ratio will further apprentices’ safety.

**Section 29.9 Apprenticeship agreements**

Regulations currently require program sponsors to execute an apprenticeship agreement with each apprentice joining a program. The NPRM proposes several new requirements tied to these agreements.<sup>17</sup> DOL should carefully weigh each requirement. New constraints and burdens in these agreements could deter participation in registered programs.

***DOL should withdraw the blanket prohibition of non-compete agreements.***

DOL should withdraw the broad proposal to prohibit the inclusion of non-compete or similar provisions in apprenticeship agreements.<sup>18</sup> Business Roundtable acknowledges that non-compete provisions are not appropriate in all circumstances.<sup>19</sup> However, public policies should not prohibit their use in cases that are both reasonable and critical for economic growth that benefits workers and consumers.<sup>20</sup> For example, such provisions should not be prohibited for personnel who work on competitively important R&D projects or have knowledge of proprietary technologies or methods.<sup>21</sup> Nor should they be prohibited entirely for personnel whose position requires on-the-job training.

DOL should first engage with stakeholders to understand the use of non-compete agreements in registered programs, including their prevalence, operation and potential benefits. With greater understanding, DOL could engage with stakeholders on the use of non-compete agreements through, for example, technical assistance.<sup>22</sup>

***DOL should require sponsors to maintain, not submit, individual apprenticeship agreements.***

Business Roundtable recommends that DOL eliminate the requirement to submit a copy of an executed agreement for each apprentice registered with a program. Rather, DOL should reduce the burden by asking sponsors to maintain executed agreements and make them available for inspection only upon request. As a practical matter, the apprentice onboarding process can take considerable time. This can particularly be the case in larger companies that regularly onboard numerous individuals across the organization. Business Roundtable member companies report that the current 45-day requirement can pose a challenge. Accordingly, should the requirement not be eliminated altogether, Business Roundtable opposes reducing the time to 30 days as this proposal would do.<sup>23</sup>

**Section 29.10 Program registration**

DOL should significantly streamline the process to register a new program, including reducing the contents of the registration application.

***DOL should withdraw the proposed requirement to disclose violations of law.***

DOL should not require prospective program sponsors to disclose any applicable violations of law governing workplace practices or conduct or actions taken to remedy violations.<sup>24</sup> This proposal is extremely overbroad. It would require disclosure of information unrelated to participation in registered programs. As drafted, it would also require disclosure of information since a participating organization's inception. Such an unnecessary and burdensome proposal could significantly deter participation in registered programs.<sup>25</sup>

***DOL should withdraw the proposed requirement to demonstrate "financial capacity."***

DOL should not require prospective program sponsors to provide information demonstrating their "financial capacity" to operate a program.<sup>26</sup> Employers do not enter registered apprenticeship lightly, given the significant effort and resources required. They do not sponsor or participate in a registered program if it does not make fiscal sense. As a result, this proposed requirement is unnecessary for employers and would merely serve as an additional burden and deterrence to their participation.

**Section 29.12 Qualifications of apprentice trainers and providers of related instruction**

***DOL should ensure programs can flexibly choose apprentice trainers to meet their needs.***

Business Roundtable appreciates increased DOL attention to journeyworkers' role as apprentice trainers. Qualified trainers are necessary for a high-quality registered program. However, the NPRM's proposed requirements on trainer qualifications are ultimately unhelpful.

For example, the NPRM would require demonstrating journeyworkers' "[a]bility to apply industry-recognized methods for objectively and fairly evaluating and monitoring" apprentices' progress.<sup>27</sup> The time-intensive burden to assess and describe journeyworkers' individual abilities heavily outweighs any value of generating such information. Further, the NPRM fails to support these new requirements with evidence that trainers currently lack sufficient qualifications. On the contrary, journeyworkers' knowledge, experience and service have largely earned registered apprenticeship the reputation as a gold standard of job training.

DOL should not increase complexity and create additional burdens for journeyworkers to fulfill their important role. Instead, Business Roundtable recommends that DOL provide program sponsors and participating employers flexibility to determine trainer qualifications that meet their unique needs.

**Sections 29.13-.15 National Standards for Apprenticeship**

Business Roundtable sees promise in the NPRM proposal to codify new approaches to help scale the development of registered programs via National Occupational Standards, National Program Standards and National Guidelines.<sup>28</sup> Creating greater consistency across state requirements — for example, by requiring states to approve National Program Standards — would help accelerate growth in registered apprenticeship. However, before moving forward with the proposed national standards, DOL should clarify how they would work and implement national standards broadly and flexibly.

***DOL should broadly and flexibly evaluate alignment between National Program Standards and National Occupational Standards.***

Business Roundtable is concerned that requiring sponsors seeking national recognition to "substantially align"<sup>29</sup> their programs with any existing National Occupational Standards could shut out worthy programs. DOL should incentivize more, not fewer, programs to pursue national recognition using National Program Standards and accelerate growth in larger, multistate programs. To do so, DOL should broadly and flexibly define how proposed National Program Standards would "substantially align" with National Occupational Standards and provide a clear process and timeline for making such evaluation.

***DOL should clarify and strengthen state reciprocity for National Program Standards.***

Business Roundtable appreciates the DOL efforts to strengthen programs' ability to register across states through National Program Standards. However, DOL should clarify and strengthen the scope of reciprocity that State Apprenticeship Agencies (SAAs) "must accord" to National Programs.<sup>30</sup> Upon initial review, the proposed reciprocity in section 29.14 is substantial.<sup>31</sup> Conversely, section 29.4, *Relation to other laws and agreements*, states that none of the NPRM's requirements would supersede any other federal, state or local law establishing "higher" minimum labor standards.<sup>32</sup> As a result, under section 29.14, nationally approved programs could, for example, still need to conform to states' separate apprentice-to-journeyworker ratios. This would lessen the scope of reciprocity under National Program Standards and diminish the benefits of National Program status. DOL should clarify the relationship between these two provisions and provide the greatest level of reciprocity possible.

**Section 29.16 End-point assessment and Certificate of Completion**

The NPRM proposes to require that apprentices pass an end-point assessment prior to obtaining a certificate of completion. Business Roundtable appreciates the benefits of objective assessments to validate apprentices' acquired knowledge and skills. However, even with the suggested flexibility to develop and administer an end-point assessment,<sup>33</sup> sponsors and employers are not currently prepared to implement this proposal at scale, and changes are required.

***DOL should engage with stakeholders to study the benefits or incentivize voluntary use of end-point assessments rather than mandate them at this time.***

While DOL should withdraw the proposed requirement of an end-point assessment at this time, the proposal warrants further consideration. DOL should examine — in close partnership with program sponsors, participating employers and other apprenticeship stakeholders — the feasibility and benefits of widespread adoption of an end-point assessment in registered programs. The NPRM's preamble asks the right questions.<sup>34</sup> For example, should DOL require a specific type of assessment? Who should validate and administer the assessment? To what extent could sponsors use third-party examiners?

DOL could also consider incentivizing voluntary use of an end-point assessment. If DOL does so, Business Roundtable recommends supporting *voluntary* implementation with technical assistance and resources to help programs arrange for assessments effectively and fairly.<sup>35</sup>



**Section 29.18 Recordkeeping by registered programs**

***DOL should significantly reduce recordkeeping requirements.***

Rather than the proposed increase, DOL should reduce program sponsors' and participating employers' recordkeeping requirements. For example, DOL should withdraw the proposed requirement that sponsors and employers record each apprentice's receipt of fringe benefits.<sup>36</sup> Business Roundtable member companies report that recording this information, which would vary across apprentices, could be a substantial burden. Compounding matters, the NPRM lacks a definition of fringe benefits, creating uncertainty about how to comply and concern about the potential recordkeeping burden.<sup>37</sup>

***DOL should withdraw the proposal to use registered apprenticeship information to administer "other applicable laws."***

DOL should withdraw the proposal to use information recorded for purposes of registered programs to administer "other applicable laws."<sup>38</sup> DOL should only use such information in connection with the administration of registered programs, not to explore sponsors' and employers' compliance with other laws. Participation in registered apprenticeship is voluntary; open-ended proposals such as this one would act as a deterrence.

**Section 29.25 Collection of data and quality metrics concerning apprenticeship**

Business Roundtable appreciates the DOL focus on collecting and reporting high-quality data to measure the effectiveness of the National Apprenticeship System. However, the need for high-quality data must balance against the burden on program sponsors and participating employers.

The NPRM would require sponsors to submit at least three dozen specific data points for each program. Certain information is commonsense and routinely provided in current programs. Other proposed data are unnecessary and burdensome to collect. Like the comments on recordkeeping above, DOL should significantly streamline data collection and reporting requirements.

***DOL should withdraw the proposal authorizing it to collect "any additional" information in the future.***

DOL should withdraw its proposal of open-ended authority to collect "any additional" information about apprentices or programs in the future.<sup>39</sup> Sponsors and employers already collect and report significant amounts of data. DOL should streamline and clearly define the core information and metrics needed to measure the effectiveness of the National Apprenticeship System — upfront.

***DOL should withdraw the proposed requirement to report on supportive services.***

DOL should also withdraw the proposal that would require sponsors to report data on apprentices' receipt of supportive services (e.g., transportation).<sup>40</sup> While Business Roundtable agrees that supportive services can help individuals participate and succeed in employment and training programs, providing such services is optional.<sup>41</sup> To limit the burden on sponsors and employers, DOL should focus on collecting information squarely tied to apprentices' performance and progress.

***DOL should improve the National Apprenticeship System's information technology platform.***

Prior to implementing any new data reporting requirements, DOL should commit to improving the National Apprenticeship System's information technology platform. At a minimum, these improvements should include establishing inter-operability between federal and sponsor data systems that are used for reporting purposes and between federal and state data management systems.

**Section 29.26 Roles and responsibilities of SAAs — Reciprocity of registration**

***DOL should streamline and strengthen a sponsor's ability to register across states.***

Business Roundtable supports the proposal to improve the current requirement that SAAs "accord reciprocal approval" to programs registered in other states.<sup>42</sup> As noted above, a sponsor's ability to register programs across states — particularly for sponsors of large programs — is critical to growing registered programs at scale. Business Roundtable particularly appreciates the proposed requirement that SAAs have a process to provide a "timely response to a request for reciprocity no later than 45 days after receipt of a program sponsor's application for reciprocity."<sup>43</sup> We urge DOL to further streamline and strengthen a sponsor's ability to register multistate programs. At a minimum, this should include developing, in partnership with states, a universal application template reflecting core registration requirements. Such an application would help reduce the burden to sponsor and grow programs across states.

**Section 29.6 Transition Provisions**

***DOL should provide sponsors and employers ample time to transition to any new requirements.***

Given the significant changes the NPRM would make to the National Apprenticeship System, DOL should provide program sponsors and participating employers an extended period to comply with new requirements. DOL should also better align the transition periods for currently approved programs and occupations, particularly given the dependence of registered programs

on approved occupations. At a minimum, DOL should provide compliance extensions in cases where sponsors and employers are unable to meet a deadline for good cause.

#### IV. CONCLUSION

Business Roundtable shares the DOL goal to improve the National Apprenticeship System and appreciates the opportunity to comment on this NPRM. We urge the agency to create a National Apprenticeship System that can become a high-quality workforce solution for more employers and workers. Expanding access to registered apprenticeships — and to work-based learning more broadly — is critical to building an ever-ready U.S. workforce, strengthening U.S. competitiveness and expanding opportunity for all. Please contact Donald McIntosh, Vice President, Business Roundtable, at [dmcintosh@brt.org](mailto:dmcintosh@brt.org) with questions.

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<sup>1</sup> National Apprenticeship System Enhancements, 89 Fed. Reg. 3118 (proposed Jan. 17, 2024) (to be codified at 30 C.F.R. pt. 29) [hereinafter NPRM], <https://www.federalregister.gov/documents/2024/01/17/2023-27851/national-apprenticeship-system-enhancements>.

<sup>2</sup> See Scott Kirby, *Congress can get the job done to boost apprenticeships, work training programs*, Chicago Sun-Times (Nov. 15, 2023), <https://chicago.suntimes.com/2023/11/15/23960627/congress-apprenticeships-job-training-programs-modernize-workforce-innovation-act-scott-kirby>.

<sup>3</sup> See Business Roundtable, *Business Roundtable Says An “Ever-Ready” Workforce Is An Unstoppable Workforce* (Jan. 25, 2024), <https://bizroundtable.medium.com/an-ever-ready-workforce-is-an-unstoppable-workforce-13ada07b4db3>.

<sup>4</sup> See Business Roundtable, Apprenticeship Accelerator, <https://www.businessroundtable.org/apprenticeship-accelerator>; Business Roundtable, *Case Study: Chicago Apprentice Network Scaling and Replicating a Successful Apprentice Network Model* (Dec. 2023), <https://s3.amazonaws.com/brt.org/Chicago-ApprenticeshipNetworkScalingandReplicatingaSuccessfulApprenticeNetworkModel.pdf>; National Governors Association and Business Roundtable, *Advancing Apprenticeship: Opportunities for States and Business to Create and Expand Registered Apprenticeship Programs* (Nov. 13, 2023), <https://www.nga.org/publications/advancing-apprenticeship-opportunities-for-states-and-business-to-create-and-expand-registered-apprenticeship-programs/>.

<sup>5</sup> See Business Roundtable, Apprenticeship Accelerator, <https://www.businessroundtable.org/apprenticeship-accelerator>.

<sup>6</sup> For more information on the private sector’s skills-based hiring and advancement efforts, see Business Roundtable, Multiple Pathways Initiative, <https://www.businessroundtable.org/workforceskills>.

<sup>7</sup> See NPRM, *supra* note 1, at 3144, 3277.

<sup>8</sup> See *id.* at 3150, 3277 (sections 29.7(e)(3), (4)).

<sup>9</sup> *Id.* at 3277.

<sup>10</sup> See *id.* at 3149, 3277 (section 29.7(b)(2)).

<sup>11</sup> See *id.* at 3235.

<sup>12</sup> See *id.* at 3160, 3279 (section 29.8(a)(20)).

<sup>13</sup> See *id.* at 3158, 3278 (section 29.8(a)(17)).

<sup>14</sup> See *id.* at 3160 (section 29.8(a)(19)) (“In practice, a ratio of one apprentice to one journeyworker has been the norm for programs; however, as registered apprenticeship has expanded into new industries DOL has considered

expanded ratios particularly in industries where there is a reduced safety risk (for example, a job primarily in an office setting.”)).

<sup>15</sup> See *id.* at 3279.

<sup>16</sup> See *id.* at 3160.

<sup>17</sup> See *id.* at 3162, 3279.

<sup>18</sup> See *id.* at 3165, 3280 (section 29.9(d)).

<sup>19</sup> See Business Roundtable, Comment Letter on Non-Compete Clause Rule at 1 (Apr. 23, 2023), <https://www.regulations.gov/comment/FTC-2023-0007-19341>.

<sup>20</sup> See *id.* at 9.

<sup>21</sup> DOL notes that trade secrecy is a key reason for use of non-compete agreements (see NPRM, *supra* note 1, at 3165-3166 n.112), and in a separate proposal to limit the use of non-disclosure agreements, DOL includes an exception to protect confidential business information and trade secrets (see *id.* at 3166, 3280).

<sup>22</sup> At a minimum, DOL should allow for the use of non-compete agreements in certain cases, as discussed above.

<sup>23</sup> If DOL maintains the submission requirement, at a minimum, DOL should maintain the current 45-day requirement and provide sponsors flexibility for good-faith efforts to submit apprenticeship agreements.

<sup>24</sup> See NPRM, *supra* note 1, at 3168, 3281 (section 29.10(a)(6)). The Business Roundtable comments on this proposal also apply to section 29.8(b)(2), which would similarly require employer disclosures to participate in a group program. See *id.* at 3162, 3279.

<sup>25</sup> At a minimum, DOL should limit any disclosure to violations directly related to participation in registered programs.

<sup>26</sup> See NPRM, *supra* note 1, at 3168, 3280 (section 29.10(a)(5)).

<sup>27</sup> *Id.* at 3282.

<sup>28</sup> See *id.* at 3176-3181, 3282-3283.

<sup>29</sup> See *id.* at 3179, 3283.

<sup>30</sup> See *id.* at 3178, 3283 (section 29.14(c)).

<sup>31</sup> The NPRM states: “SAAs must accord reciprocal approval and registration to National Program Standards for Apprenticeship approved under this section.” *Id.* at 3283.

<sup>32</sup> See *id.* at 3140, 3276.

<sup>33</sup> See *id.* at 3181.

<sup>34</sup> See *id.* at 3182.

<sup>35</sup> If DOL requires an end-point assessment in any capacity, at a minimum, the requirement should phase in over several years.

<sup>36</sup> See NPRM, *supra* note 1, at 3185, 3284 (section 29.18(b)(2)(iv)).

<sup>37</sup> These concerns related to fringe benefits similarly apply to section 29.8, *Standards of apprenticeship*, and section 29.9, *Apprenticeship agreements*. See *id.* at 3157, 3278 (section 29.8(a)(17)); 3156, 3287 (section 29.8(a)(9)); 3164, 3280 (section 29.9(c)(7)); 3165, 3280 (section 29.9(c)(14)). In each instance, the level of detail required to comply with the proposed requirement is unclear. Further, to the extent these proposals would require detailed descriptions of fringe benefits down to the hourly rate, it could significantly add to compliance burdens, given the complexity of tracking benefits at that level. At a minimum, DOL should clarify the required descriptions of fringe benefits in sections 29.8 and 29.9, and in doing so, minimize the burden and complexity on sponsors and employers.

<sup>38</sup> See *id.* at 3185, 3285.

<sup>39</sup> *Id.* at 3292 (section 29.25(a)(1)(vi) (“Any additional apprentice-related information required by the Administrator”); (a)(2)(vi) (“Any additional apprentice outcomes or services information required by the Administrator”); (b)(1)(viii) (“Any additional sponsor or program level information required by the Administrator”); (b)(2)(xi) (“Any additional sponsor or program level information required by the Administrator”).

<sup>40</sup> See *id.* at 3292 (section 29.25(a)(2)(v)).

<sup>41</sup> See *id.* at 3138, 3276 (section 29.2 (definition of *Supportive services*)). Business Roundtable recommends that DOL redefine supportive services from services that are “necessary to enable” apprentices to participate and

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succeed in programs to services that can “assist” apprentices. *See id.* The use of “necessary” in the proposed definition is unclear and could inaccurately suggest that supportive services are a requirement in registered programs.

<sup>42</sup> *See id.* at 3218, 3293 (section 29.26(d)).

<sup>43</sup> *Id.* at 3293.