

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 17-19, Change 1
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Keyword:	Apprenticeship; WIOA
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Courtney Arbour, Director, Workforce Development Division

Subject: **Registered Apprenticeship Training Programs and the Eligible Training Providers List—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with updated information and guidance on automatic eligibility for Registered Apprenticeship Programs (RAPs) to be included on the statewide Eligible Training Providers List (ETPL).

RESCISSIONS:

WD Letter 17-19

BACKGROUND:

RAPs use a business-driven, earn-and-learn strategy to prepare job seekers for employment while providing them with immediate employment opportunities that pay sustainable wages and offer advancement along a career path.

RAPs are automatically eligible for the statewide ETPL because they undergo a rigorous application and vetting process by the Office of Apprenticeship (OA) within the US Department of Labor Employment and Training Administration (DOLETA).

Employers or associations operating in multiple states may register their apprenticeship programs with a set of National Program Standards used by each program wherever it operates. These National Program RAPs are generally registered by and serviced in DOLETA-OA, not in individual states.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

NLF: Boards must be aware that RAPs are automatically eligible for the statewide ETPL. The Texas Workforce Commission (TWC) informs RAP sponsors of their automatic eligibility for the ETPL.

NLF: Boards must ensure that Workforce Solutions Office staff:

- refers all RAP sponsor inquiries related to Workforce Innovation and Opportunity Act (WIOA) training and the ETPL to the Eligible Training Providers (ETP) help desk (etp.helpdesk@twc.texas.gov) for assistance; and
- does not review or determine eligibility for RAPs.

NLF: Boards must be aware that sponsors of National Program RAPs registered with DOLETA-OA to operate in all states are not also required to register in Texas; however, they must have an RAP location currently in operation in Texas to be included on the statewide ETPL.

NLF: Boards must be aware that RAPs that consent to being included on the statewide ETPL must submit program information to TWC via the ETP help desk at etp.helpdesk@twc.texas.gov. This program information must include the following:

- Occupations included in the RAP
- Name and address of the RAP sponsor
- Name and address of the related technical instruction provider (and location of training if different from the sponsor’s address)
- Method and duration of instruction
- Number of apprentices

NLF: Boards must be aware that RAPs may be required to provide additional information about their education provider if they do not provide the related technical instruction portion of the RAP as outlined above.

NLF: Boards must be aware that RAPs are not subject to:

- performance reporting or review by the state or Boards to be approved for the ETPL, as provided in 20 Code of Federal Regulations (CFR) §680.470; or

- additional local eligibility criteria that Boards may require for other local training providers.

NLF: Boards must ensure that local policies and procedures do not restrict eligible individuals' access to RAPs included on the statewide ETPL except when local funding limits may restrict such access in accordance with 20 CFR §680.310.

NLF: Boards must be aware that the requirement for training programs to be in occupations that appear on both the statewide and Board target occupations lists does not apply to RAPs. Any occupations for which RAPs are accepting applications or actively conducting apprenticeship training are considered an in-demand or a target occupation for inclusion on the ETPL.

NLF: Boards must be aware that a RAP will remain on the statewide ETPL until it is no longer registered by DOLETA's Office of Apprenticeship or the RAP requests to be removed from TWC's statewide ETPL. Additionally, TWC will verify the status of RAPs at least every two years to ensure that they remain registered by DOLETA and remove any apprenticeship program from the ETPL that is no longer registered with DOLETA.

NLF: Boards must be aware that, unlike RAPs, pre-apprenticeship programs do not have automatic eligibility for the ETPL. Pre-apprenticeship programs are subject to the same eligibility process and performance requirements as are all other eligible training providers.

LF: Boards may use Individual Training Accounts (ITAs) to fund related instructional training and support services (per Board policy) to enable training participation in RAPs.

NLF: Boards must be aware that ITAs may not be used to fund the required employment component of RAPs.

LF: Boards may enter into on-the-job training contracts with employers to fund the employment portion of a RAP.

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Revisions to WD Letter 17-19, Shown in Track Changes

REFERENCES:

20 CFR, Subpart C—Individual Training Accounts, §§680.310–680.330

20 CFR, Subpart D—Eligible Training Providers, §§680.400–680.500

Public Law 113-128 (WIOA), Title I, §122. Identification of Eligible Providers of Training Services

Training and Employment Guidance Letter 08-19, Change 1, issued May 17, 2021, and titled “Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA)”

Training and Employment Guidance Letter 13-16, issued January 12, 2017, and titled “Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA)”

Training and Employment Guidance Letter 13-16, Change 1, issued May 17, 2021, and titled “Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA)”

Training and Employment Guidance Letter 03-18, issued August 31, 2018, and titled “Eligible Training Provider (ETP) Reporting Guidance under the Workforce Innovation and Opportunity Act (WIOA)”

Texas Workforce Commission Chapter 837 Apprenticeship Training Program

Texas Workforce Commission Chapter 840 WIOA Eligible Training Providers