

**WORKFORCE DEVELOPMENT BOARD AND WORKFORCE  
DEVELOPMENT CENTER ADMINISTRATION DIVISION[877]**

**Notice of Intended Action**

**Proposing rulemaking related to Iowa office of apprenticeship  
and providing an opportunity for public comment**

The Workforce Development Board and Workforce Development Center Administration Division hereby proposes to adopt new Chapter 29, “Iowa Office of Apprenticeship,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in 2023 Iowa Acts, Senate File 318.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 84D as enacted by 2023 Iowa Acts, Senate File 318.

*Purpose and Summary*

This new chapter establishes rules and procedures for implementation and administration of the new Iowa Office of Apprenticeship pursuant to 2023 Iowa Acts, Senate File 318.

*Fiscal Impact*

2023 Iowa Acts, Senate File 318, was signed into law on May 10, 2023, establishing new Iowa Code chapter 84D. There is no immediate fiscal impact of creation and implementation of these rules; however, the Iowa Office of Apprenticeship will have costs associated with it over the next five years in terms of personnel and implementation costs. No estimate is available at this time because IWD continues to coordinate with the existing Office of Apprenticeship and U.S. Department of Labor to determine scope of responsibility and timing of transition of the program. IWD does not anticipate any additional fiscal impact in the current fiscal year and anticipates that there will be a request for a general appropriation in future legislative sessions as IWD is better able to determine the amount of staff and resources necessary to fully implement this program.

*Jobs Impact*

The proposed chapter is authorized by 2023 Iowa Acts, Senate File 318, which establishes the Iowa Office of Apprenticeship in Iowa Code chapter 84D. The proposed chapter is required to supplement Senate File 318 and bring the state law establishing a state apprenticeship agency (SAA) into conformity with U.S. Department of Labor requirements pursuant to 29 CFR 29.13. The proposed chapter, in conjunction with Senate File 318, creates career pathways for all Iowans including adults and minorities. The proposed chapter, in conjunction with Senate File 318, will have a positive impact on private sector jobs and employment opportunities in Iowa by increasing training pathways into a wide variety of industries and occupations. Iowa led the country in creating registered apprenticeship programs in 2022, and the SAA program, implemented through these rules, will make it easier for employers and high schools to provide this valuable training pathway to more Iowans.

Iowa wants to foster and grow registered apprenticeship and work-based learning programs throughout the state. As a system, Iowa Workforce Development (IWD) wants to continue to foster the quality programs that have already been created in construction trades and other occupations to help grow registered apprenticeship programs in all industries. IWD has had federal grants that have assisted in growing registered apprenticeship programs in the following high-demand areas: health care, agriculture, advanced manufacturing, construction trades and education. With these rules,

IWD and the Iowa Office of Apprenticeship will work with all industries to support the creation of high-quality registered apprenticeship and work-based learning opportunities for Iowans. In a registered apprenticeship, employers create a program that contains related training instruction and on-the-job learning. Cost can vary from in-house education programs to community college courses for related training, on-the-job wages and mentor wages. There is no other relevant analysis.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition IWD for a waiver of the discretionary provisions, if any.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by IWD no later than 4:30 p.m. on August 15, 2023. Comments should be directed to:

Brooke Axiotis  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319  
Phone: 515.802.9425  
Email: [brooke.axiotis@iwd.iowa.gov](mailto:brooke.axiotis@iwd.iowa.gov)

*Public Hearing*

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following new 877—Chapter 29:

CHAPTER 29  
IOWA OFFICE OF APPRENTICESHIP

**877—29.1(90GA,SF318) Purpose.** The purpose of this chapter is to bring identified definitions, terms, and language in 2023 Iowa Acts, Senate File 318, into conformity with federal requirements, necessary for the approval of the Iowa office of apprenticeship law by the United States Department of Labor Office of Apprenticeship in accordance with 29 CFR 29.13(a)(1).

**877—29.2(90GA,SF318) Definitions.** As used in this chapter:

“*Apprenticeship sponsor*” means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which entity is registered with or approved by the Iowa office of apprenticeship.

“*Certification*” or “*certificate*” means the written approval by the Iowa office of apprenticeship of a set of apprenticeship standards, of an individual for employment as an apprentice or probationary apprentice in a registered apprenticeship program, or of an individual who has successfully met the requirements to receive an interim credential. The Iowa office of apprenticeship will determine whether an individual has successfully completed an apprenticeship program to conform with 29 CFR Part 29.

“*Intermediary*” means an entity that provides required technical instruction to an apprentice, aggregates employer demand, provides technical assistance to employers, assists with organizing training, develops occupational standards, and assists with the registration of programs under the authority of the Iowa office of apprenticeship.

“*On-the-job training*” means an individual apprentice that is measured either through the completion of the industry standards for on-the-job learning (at least 2,000 hours) time-based approach, the attainment of a competency-based approach, or a blend of the time-based and competency-based approaches (hybrid).

“*Pre-apprenticeship*,” for purposes of the Iowa office of apprenticeship, means a program or set of strategies, registered by the Iowa office of apprenticeship, including basic skills training, academic skills remediation, or introduction to the industry, that is designed to prepare individuals for entry into an apprenticeship program.

“*Registered apprenticeship program*” means a program to which all of the following apply:

1. The program has been accepted and recorded by the Iowa office of apprenticeship. The program includes all of the following:

- Employer involvement.
- On-the-job training.
- Related training instruction as defined in 2023 Iowa Acts, Senate File 318, section 2.
- Paid work experience with progressive wage increases.
- Receipt of a portable state or nationally recognized credential.

2. The program is for the recruitment, selection, employment, and training of apprentices and is developed pursuant to 29 CFR Parts 29 and 30 and the rules of the Iowa office of apprenticeship.

“*Supervision*” includes direction and oversight of apprentices on the job by any journeyworker who may be counted as a direct supervisor of an apprentice as long as the person is of the same trade or occupation as the apprentice. Supervision must occur in person for occupations that require in-person supervision to satisfy safety regulations for monitoring the apprentice. Supervision may occur by phone or through virtual means as long as the occupation is such that it does not require in-person supervision to satisfy safety regulations for monitoring the apprentice.

“*Youth apprenticeship*,” for the purposes of the Iowa office of apprenticeship, means a program that is designed specifically for an apprentice 18 years of age or under.

**877—29.3(90GA,SF318) Duties of office.** The Iowa office of apprenticeship shall establish time-based, competency-based and hybrid apprenticeship frameworks based on the regional and statewide collection of valuable credentials.

**29.3(1)** The Iowa office of apprenticeship shall establish the following standards and processes in conformance with 29 CFR Part 29:

- a. Program performance standards in conformance with 29 CFR 29.6.
- b. Process for deregistration of registered apprenticeship programs in conformance with 29 CFR 29.8.
- c. Process for the reinstatement of a registered apprenticeship program that was previously deregistered under 29 CFR 29.8 in conformance with 29 CFR 29.9.
- d. Appeal process for registered apprenticeship programs that have been deregistered in conformance with 29 CFR 29.10.

**29.3(2)** Neither the provisions of 2023 Iowa Acts, Senate File 318; federal law; or the apprenticeship agreement will invalidate any provision in any collective bargaining agreement between employers and employees establishing higher apprenticeship standards.

**29.3(3)** Neither the provisions of 2023 Iowa Acts, Senate File 318; federal law; nor the apprenticeship agreement will invalidate any special provision for veterans, minority persons, or women in the standards, apprenticeship qualifications or operation of the program which is not prohibited by state or federal law.

**29.3(4)** The Iowa office of apprenticeship will establish a process for complaints in conformance with 29 CFR 29.12.

**877—29.4(90GA,SF318) Requirements for sponsors and employers.** Sponsors and employers are responsible for the following:

1. Ensuring the program conforms to 29 CFR Part 29 standards of apprenticeship.
2. Ensuring the program complies with 29 CFR Part 30 equal employment opportunity in apprenticeship.
3. Ensuring the program complies with the Iowa Office of Apprenticeship Standards and Regulations document approved by the United States Department of Labor.
4. Ensuring the program complies with 2023 Iowa Acts, Senate File 318.

**877—29.5(90GA,SF318) Approval of apprenticeship program.** All registered apprenticeship programs eligible for approval by the Iowa office of apprenticeship must comply with 29 CFR Parts 29 and 30; 2023 Iowa Acts, Senate File 318; the state plan approved by the United States Department of Labor Office of Apprenticeship; and the administrative rules.

These rules are intended to implement Iowa Code chapter 84D as enacted by 2023 Iowa Acts, Senate File 318.