

CHAPTER 12
APPRENTICESHIP TRAINING PROGRAM

261—12.1(15,15B) Authority. The authority for adopting rules establishing an apprenticeship training program is provided in Iowa Code sections 15B.3(6) and 15.106A.
[ARC 1826C, IAB 1/21/15, effective 2/25/15]

261—12.2(15,15B) Purpose. The purpose of the apprenticeship training program is to assist eligible apprenticeship programs by providing financial assistance in the form of training grants.
[ARC 1826C, IAB 1/21/15, effective 2/25/15]

261—12.3(15,15B) Definitions.

“Apprentice” means a person who is at least 16 years of age, except where a higher minimum age is required by law, who is employed in an apprenticeable occupation, and is registered in Iowa with the U.S. Department of Labor, Office of Apprenticeship.

“Apprenticeable occupation” means an occupation approved for apprenticeship by the U.S. Department of Labor, Office of Apprenticeship.

“Apprenticeship program” means a program registered with the U.S. Department of Labor, Office of Apprenticeship, which includes terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including the requirement for a written apprenticeship agreement.

“Apprenticeship sponsor” means an entity operating an apprenticeship program or an entity in whose name an apprenticeship program is being operated, which is registered with or approved by the U.S. Department of Labor, Office of Apprenticeship.

“Authority” means the economic development authority created in Iowa Code section 15.105.

“Contact hours” means the number of hours of in-person instruction received by an apprentice participating in an apprenticeship program.

“Financial assistance” means assistance provided only from the funds, rights, and assets legally available to the authority and includes but is not limited to assistance in the forms of grants, loans, forgivable loans, and royalty payments.

“Fund” means the apprenticeship training program fund created in Iowa Code section 15B.3.

“Lead apprenticeship sponsor” means a trade organization, labor organization, employer association, or other incorporated entity representing a group of apprenticeship sponsors.

“Program” means the apprenticeship training program established pursuant to this chapter.

“Total instructional hours” means the total instructional hours reported by an apprenticeship sponsor or lead apprenticeship sponsor. “Total instructional hours” does not mean the minimum federal standard for instructional hours.

“Training year” means the most recent calendar year.

[ARC 1826C, IAB 1/21/15, effective 2/25/15; ARC 5970C, IAB 10/6/21, effective 11/10/21]

261—12.4(15,15B) Annual appropriations—amount of assistance available—standard contract—use of funds.

12.4(1) The authority will provide financial assistance under the program from moneys appropriated for purposes of the program pursuant to Iowa Code section 15.342A.

12.4(2) The total amount of assistance available for a fiscal year will be the amount authorized by law as described in subrule 12.4(1) less an amount equal to 2 percent of the moneys in the fund appropriated to the authority for administrative purposes.

12.4(3) The authority will disburse funds to an apprenticeship sponsor or lead apprenticeship sponsor only after approval of a completed application and execution of a contract between the apprenticeship sponsor or lead sponsor and the authority. The authority shall have sole discretion in determining whether an applicant has provided all necessary information as required under this chapter. The authority will prepare a standard contract for the program to be executed by each eligible applicant. Each executed contract will provide for an amount of financial assistance in the form of a training grant

as determined pursuant to rule 261—12.6(15,15B). All changes or amendments to the standard contract shall be at the authority's sole discretion. All such changes shall be consistent with the requirements of Iowa Code chapter 15B and of this chapter. The authority will notify apprenticeship sponsors and lead apprenticeship sponsors by the end of a calendar year of any standard contract changes for the upcoming application period.

12.4(4) Financial assistance received by an apprenticeship sponsor or lead apprenticeship sponsor under this rule shall be used only for the cost of conducting and maintaining an apprenticeship program. The authority may require an apprenticeship sponsor or lead apprenticeship sponsor to provide any information reasonably necessary to verify the use of program funds.

[ARC 1826C, IAB 1/21/15, effective 2/25/15; ARC 5970C, IAB 10/6/21, effective 11/10/21]

261—12.5(15,15B) Eligibility for assistance. An eligible apprenticeship sponsor or lead apprenticeship sponsor may apply to the authority for assistance under the program. To be eligible, an applicant must meet all of the following requirements:

12.5(1) The applicant is an apprenticeship sponsor, or a lead apprenticeship sponsor, that conducts an apprenticeship program that is registered with the U.S. Department of Labor, Office of Apprenticeship, through Iowa, for apprentices who will be employed at worksites in Iowa.

12.5(2) The applicant conducts an apprenticeship program that includes a minimum of 100 contact hours per apprentice for each training year of the apprenticeship program.

12.5(3) The applicant provides all of the following information to the authority:

a. The federal apprentice registration number of each apprentice in the apprenticeship program.
b. The address and a description of the physical location where in-person training is conducted.
c. A certification of the apprenticeship sponsor's training standards as most recently approved by the U.S. Department of Labor, Office of Apprenticeship, or, in the case of a lead apprenticeship sponsor, a representative sample of participating members' training standards.

d. A certification of the apprenticeship sponsor's compliance review or quality assessment as most recently conducted by the U.S. Department of Labor, Office of Apprenticeship, unless the apprenticeship sponsor has not been subjected to a compliance review or quality assessment. In the case of a lead apprenticeship sponsor, a sampling of compliance reviews or quality assessments from participating members will be sufficient.

e. Any other information the authority reasonably determines is necessary.

12.5(4) The applicant shall apply on or before February 1 of each year in which funding is available. The application submitted by the applicant should reflect program information from the prior training year. Because all applications to the program must be received in order to determine the amount of financial assistance available under rule 261—12.6(15,15B), the authority will not accept applications on a continuous basis.

12.5(5) An apprenticeship sponsor receiving financial assistance under Iowa Code chapter 15C is ineligible for financial assistance under this chapter during the same fiscal year.

[ARC 1826C, IAB 1/21/15, effective 2/25/15; ARC 5480C, IAB 2/24/21, effective 3/31/21; ARC 5970C, IAB 10/6/21, effective 11/10/21]

261—12.6(15,15B) Determination of financial assistance grants. The authority will provide financial assistance in the form of training grants to eligible apprenticeship sponsors or lead apprenticeship sponsors. The maximum amount of financial assistance provided to an eligible apprenticeship sponsor or lead apprenticeship sponsor will be calculated in the following manner:

12.6(1) By determining the total amount of funding allocated for purposes of training grants for apprenticeship programs as described in rule 261—12.4(15,15B).

12.6(2) By determining the total number of apprentices trained during the most recent training year, as calculated on the last day of the training year, in all apprenticeship programs conducted by all applying apprenticeship sponsors or lead apprenticeship sponsors eligible to apply for financial assistance under rule 261—12.5(15,15B).

12.6(3) By determining the total number of apprentices trained during the training year, as calculated on the last day of the training year, in each apprenticeship program conducted by each

applying apprenticeship sponsor or lead apprenticeship sponsor eligible to apply and that applied for financial assistance under rule 261—12.5(15,15B).

12.6(4) By determining the proportion, stated as a percentage, that each applying apprenticeship sponsor's or lead apprenticeship sponsor's total calculated pursuant to subrule 12.6(3) bears to all applying apprenticeship sponsors' or lead apprenticeship sponsors' total calculated pursuant to subrule 12.6(2).

12.6(5) By multiplying the percentage calculated in subrule 12.6(4) by the amount determined in subrule 12.6(1).

[ARC 1826C, IAB 1/21/15, effective 2/25/15; ARC 5970C, IAB 10/6/21, effective 11/10/21]

261—12.7(15,15B) Application submittal and review process.

12.7(1) The authority will develop a standardized application and make the application available to applicants. To apply for assistance under the program, an applicant shall submit an application to the authority. Required forms and instructions are available by contacting the authority or from the authority's Internet site at www.iowaeda.com.

12.7(2) The director shall have final funding authority on applications for financial assistance under this program. Applications will be reviewed and processed for eligibility by the staff of the authority. The director of the authority will approve, defer or deny applications consistent with the requirements of this chapter.

[ARC 1826C, IAB 1/21/15, effective 2/25/15; ARC 5970C, IAB 10/6/21, effective 11/10/21]

261—12.8(15,15B) Notice and reporting.

12.8(1) *Notice of award.* Program applicants will be notified in writing of the funding decision, including any conditions and terms of the approval as may be required under the program.

12.8(2) *Reporting.* An applicant receiving assistance under the program shall submit any information reasonably requested by the authority in sufficient detail to permit the authority to prepare any reports required by the authority, the board, the general assembly or the governor's office.

[ARC 1826C, IAB 1/21/15, effective 2/25/15]

These rules are intended to implement Iowa Code chapter 15B.

[Filed ARC 1826C (Notice ARC 1692C, IAB 10/29/14), IAB 1/21/15, effective 2/25/15]

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