



EXECUTIVE ORDER NO. 717

ESTABLISHING THE ALABAMA OFFICE OF APPRENTICESHIP

WHEREAS the Governor's Office of Education and Workforce Transformation (GOEWT) and the Workforce Development Division of the Alabama Department of Commerce are embracing the quality of the registered apprenticeship model and the flexibility of the industry-recognized apprentice model;

WHEREAS the GOEWT and the Workforce Development Division are establishing the Alabama Office of Apprenticeship (AOA), which shall register its registered apprenticeship programs;

WHEREAS the Legislature passed, on May 30, 2019, Alabama Act 2019-506 (the "Act") requiring the Deputy Secretary of the Workforce Development Division to submit to the United States Secretary of Labor an application for the recognition of the AOA as the Alabama State Apprenticeship Agency; and

WHEREAS the Act does not take effect until September 1, 2019, despite the requirement to apply for recognition of the AOA no later than June 30, 2019;

NOW, THEREFORE, I, Kay Ivey, Governor of the State of Alabama, by virtue of the authority vested in me by the Constitution and laws of the State of Alabama, and in particular 29 U.S.C. § 50, 29 C.F.R Parts 29-30, Ala. Code §§ 40-18-420 to -424, and the Act, do hereby promulgate this Executive Order, effective immediately:

1. **The Alabama Office of Apprenticeship.** The AOA is hereby established as a part of the Workforce Development Division of the Department of Commerce. The AOA is established for the following purposes:
 - a. To exercise nonexclusive authority to determine whether an apprenticeship program conforms to federal regulations;
 - b. To set forth labor standards necessary to safeguard apprentices' welfare;

- c. To establish policies and procedures for the registration and deregistration of preapprenticeships, youth registered apprenticeships, and registered apprenticeships;
 - d. To serve as the registration agency for apprenticeships;
 - e. To resolve disputes related to AOA-registered apprenticeship agreements.
2. **Deputy Secretary's Rights and Responsibilities.** The AOA shall be under the direction of the Deputy Secretary of Commerce for the Workforce Development Division. The Deputy Secretary, with the advice and consent of the Alabama Apprenticeship Council (AAC), may appoint a Director of the AOA who will serve under the Deputy Secretary and act as necessary to implement the Act. Pursuant to 29 C.F.R. § 29.13(a)-(c), the Deputy Secretary shall submit to the Secretary of the United States Department of Labor and the Administrator of the Office of Apprenticeship an application to recognize the AOA as a state apprenticeship agency. The application shall include the following:
- a. A plan for equal employment opportunity that conforms to 29 C.F.R. Part 30;
 - b. A description of the requirements for program registration and/or approval, demonstrating coordination with Alabama's economic development and publicly-funded workforce investment system;
 - c. A description of policies and operating procedures that depart from the requirements of 29 C.F.R. Part 29;
 - d. A description of how the AOA will utilize the AAC as a regulatory body;
 - e. A description of respective powers of the AOA and the AAC;
 - f. A description of the required contents of apprenticeship agreements, pursuant to 29 C.F.R. § 29.7;
 - g. A plan to ensure that the registration of apprenticeship programs occurs only in apprenticeable occupations, pursuant to


29 C.F.R. § 29.4, including plans for expansion of apprenticeship opportunities in high-demand careers;

- h. A plan to grant reciprocal approval to apprentices, apprenticeship programs, and standards registered in other states by the federal Office of Apprenticeship or a registration agency, if requested by an apprenticeship program sponsor regarding a program that meets Alabama's wage and hour provisions and apprentice ratio;
 - i. A plan for the temporary suspension, cancellation and/or deregulation of apprenticeship programs and agreements.
- 3. **AOA's Rights and Responsibilities.** The AOA, with the advice and consent of the AAC:
 - a. Shall develop a nationally-recognized state-apprenticeship-completion credential, as described in 29 C.F.R. § 29.5;
 - b. May promulgate necessary rules and regulations to effectuate the Act's purpose in conformity with federal regulations;
 - c. Shall have authority to approve apprenticeship programs that are mandated by state or federal law because the apprenticeship sponsor received government funds or resources on the condition of creation of an apprenticeship program;
 - d. Shall establish competency-based apprenticeship frameworks, modeled after those created by the Technical Advisory Committees, for each occupation listed on a regional and statewide list of in-demand career pathways, as defined in the Act.
- 4. **Composition of the Alabama Apprenticeship Council.** The Alabama Community College System will serve as the state apprenticeship intermediary. The AAC shall be composed of persons familiar with apprenticeable occupations, including:
 - a. the Governor;
 - b. the Lieutenant Governor;

- c. the President Pro Tempore of the Alabama Senate;
 - d. the Speaker of the Alabama House of Representatives;
 - e. the Chancellor of the Alabama Community College System;
 - f. the State Superintendent of Education;
 - g. the Chair of the Alabama Workforce Development Board;
 - h. the Chair of the Alabama Workforce Council; and
 - i. nine members appointed by the Governor and confirmed by the Alabama Senate: three of whom represent employer organizations, three of whom are from the public and are members of employer or employee organizations, and three of whom represent employee organizations.
5. **AAC's Responsibilities:** The AAC shall serve in a regulatory role, shall promulgate rules and regulations, and shall advise the AOA, on the following:
- a. Approval of apprenticeship standards that meet the requirements of 29 C.F.R. § 29;
 - b. Ensuring compliance with equal employment opportunity regulations, as defined in 29 C.F.R. Part 30;
 - c. Resolving disputes related to an apprenticeship agreement;
 - d. Providing recommendations to deregister, suspend, or cancel apprenticeship programs not in compliance with state and federal apprenticeship regulations;
 - e. Providing community outreach and education on the benefits of apprenticeship; and
 - f. Assisting in the formulation of policies that vouchsafe the effective administration of apprenticeship programs.

DONE AND ORDERED this 30th day of June, 2019.




KAY IVEY
Governor

ATTESTED


JOHN H. MERRILL
Secretary of State