CIRCULAR 2020-01 June 4, 2020

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| U.S. Department of Labor  Employment and Training Administration, Office of  Apprenticeship (OA)  Washington, D.C. 20210 | Distribution:  A-541 Hdqtrs  A-544 All Field Tech  A-547 SD+RD+SAA+; Lab.Com | Subject: Rescission of  Previously-Issued OA  Circulars Constituting  Outdated or Invalid Agency  Guidance Pursuant to  Executive Order 13891  Code: 400.1 |
| Symbols: DRAP/NSL | Action: Immediate |
| **PURPOSE:** To inform the staff of OA and the State Apprenticeship Agencies (SAA), Registered Apprenticeship program sponsors, Registered Apprenticeship partners, and other interested parties of OA’s decision to rescind, in accordance with the mandate contained in Executive Order 13891, previously-issued guidance documents in the form of circulars that OA has determined are no longer valid, are outdated, or do not serve an appropriate or useful purpose.  **BACKGROUND:** On October 9, 2019, President Donald J. Trump issued Executive Order 13891, *Promoting the Rule of Law Through Improved Agency Guidance Documents* (84 FR 55235)*.* Pursuant to this mandate, the U.S. Department of Labor and its constituent agencies, offices, and bureaus have undertaken a comprehensive review of previously-issued guidance documents to determine whether such guidance aligns with existing law and Administration policy, and otherwise serves an appropriate and useful purpose. The objective of this extensive vetting process has been to identify those sub-regulatory guidance documents that satisfy the criteria established by Executive Order 13891 and that remain valid and operational.  To implement this mandate, the Department has also established a searchable, indexed website (at <https://www.dol.gov/guidance>) listing agency sub-regulatory guidance documents that are valid and remain in effect; the process of identifying these documents is ongoing, and the Department’s website reflects decisions to retain guidance that have been made to date. Conversely, previously-issued guidance that is outdated, superseded, invalid, unhelpful, confusing, redundant, outside the Department’s role, or contrary to law or policy is being rescinded or modified by the Department and its agencies.  When promulgating policy guidance for use by the staff of OA and the State Apprenticeship Agencies (SAA), Registered Apprenticeship program sponsors, Registered Apprenticeship partners, and other interested parties, OA has ordinarily issued such guidance in the form of circulars. As part of the Department’s review of guidance documents mandated by Executive Order 13891, OA has conducted a careful, good faith review of its previously-issued circulars to determine which of these documents remain valid and suitable for retention, and which of these are appropriate for immediate rescission. Having completed this review, OA has determined that the previously-issued circulars listed in the table below are no longer valid, and should be rescinded forthwith:   |  |  | | --- | --- | | **Circular** | **Title** | | 1959-107 | Purchase of Exhibit | | 1960-76 | Policy on Identification of IBEW Local Union Jurisdiction in Apprenticeship Programs | | 1960-89 | Training Trust Fund Provide Provisions in Apprenticeship Standards etc. | | 1961-120 | Development of Pre-Apprenticeship Program | | 1961-63 | Use of the word APPRENTICESHIP | | 1962-108 | Policy on Field Attendance at Apprenticeship Contests | | 1962-88 | State Apprenticeship and Training Laws | | 1963-30 | Policy on BAT Staff Conferences | | 1964-127 | Funds for Promoting Apprenticeship Conferences | | 1964-39 | Working Relationships with the States | | 1966-67 | No agency copy on file. Superseded by Circular 1970-26 | | 1969-53 | Communications Above the Bureau Level | | 1970-17 | Apprenticeship Account Servicing | | 1970-18 | Apprenticeship Account Servicing | | 1970-19 | Multi-Employer Apprenticeship Accounts | | 1972-01 | 29 CFR Part 30, as Amended Definition of Federal Purpose | | 1972-12 | Veterans and 29 CFR 30 | | 1972-13 | Suspension of Circular No. 70-17, 70-18 and 70-19 | | 1972-14 | EEO in Apprenticeship - Monitoring State Plans in State Agency States 29 CFR Part 30, as Amended | | 1972-15 | 29 CFR 5a | | 1972-22 | Sponsor and Program Registration | | 1972-38 | Exemption of Federal Agency Apprenticeship Programs from Title 29 CFR Part 30 | | 1974-10 | Apprenticeship Wage Policy, Unilateral Progress in the Construction Industry | | 1975-23 | Promotion of State Apprenticeship Agencies | | 1975-24 | Promotion of Opportunities for Women in Apprenticeship | | 1978-12 | Employers Intent to Hire Selection Procedure | | 1978-18 | Selected Answers to Questions on Title 29 CFR Part 10, Revised. 'Equal Opportunity in Apprenticeship and Training" | | 1979-07 | Publicity on Women in Apprenticeship | | 1979-14 | Collection of Promotional Aids | | 1979-19 | Dual Lists, 29 CFR 30 | | 1979-36 | Acceptance of Workers as Apprentices in an Organizational Effort | | 1980-03 | Certificate of Meritorious Service | | 1981-07 | Designation of Acting Directors in the Field | | 1981-29 | Partial Exemption from the Provisions of Title 29 CFR Part 30 for Registration of Apprenticeship Programs with State and Local Governments | | 1982-05 | National Tooling and Machining Association Apprenticeship Agreement | | 1982-06 | Division of National Office/Regional Office Responsibility for Program Development, Registration, Apprentice Registration, Account Servicing and Reporting | | 1983-03 | Department of the Air Force, Air Force Logistics Command National Standards of Apprenticeship For the Training of Civilian Personnel | | 1983-05 | Apprenticeability Request Form | | 1983-06 | DOL-VA Agreement and Amended VA Regulations | | 1983-12 | Exemption of Apprentices from Minimum Wage Requirements | | 1983-17 | New Requirements and Procedures for Approval of Travel | | 1983-19 | Solicitor's Opinion-Official Travel to and Participation in JTPA meetings | | 1983-20 | Training Fees (Solicitor's Opinion) | | 1983-22 | Title 29 CFR 5, Davis-Bacon Trainee Program Approval | | 1984-04 | Sheet Metal Workers International Association Supplemental Training Agreement | | 1984-05 | Significant Activities Report | | 1984-10 | Registering Unilateral Apprenticeship Programs During Labor Disputes | | 1984-11 | Apprenticeship-School Linkages | | 1984-12 | Emergency Veterans’ Job Training Act of 1983 (P.L. 98-77) | | 1984-22 | Internship Program for the Professional Work Force | | 1984-27 | Apprenticeship-School Linkages RARES | | 1984-30 | Veterans' Preference in Apprenticeship (Solicitor's Opinion) | | 1984-31 | Federal Committee on Apprenticeship Renewal | | 1985-02 | FY 1985 Fiscal Instructions with Accounting Classification Codes | | 1985-03 | National Apprenticeship Standards United States Department of the Air Force-All Commands (Civilian) | | 1985-04 | Carl D. Perkins Vocational Education Act of 1984 (FL 98-524) | | 1985-05 | Interagency Linkage System Agreement-FCI Alderson | | 1985-06 | Use of Cash to Procure Emergency Passenger Transportation Service Costing more than 100 | | 1985-08 | Revised Monthly Travel Report Form-2150 | | 1985-09 | RARES DOT Symbols for Occupations Not on BAT List of Apprenticeable Occupations | | 1985-10 | Short Term Automobile Rental Procedures | | 1985-11 | Apprenticeship: Sheet Metal Workers' Supplemental Training Agreement | | 1985-14 | Construction Training Institute, Inc. (CTI) | | 1985-15 | Examination of Trainee Payroll Records by BAT Staff | | 1985-16 | Policy Regarding Unilateral Changes to Apprenticeship Agreements | | 1985-17 | JTPA/BAT Sample Agreements | | 1985-18 | DOL's Implementation of Diners Club Charge Cards Program | | 1985-20 | Application of Davis-Bacon Act | | 1985-21 | Policy on Participation by State Apprenticeship Agencies In RARES | | 1985-22 | Use of Non-Contract Carriers for Return Trips to Residence | | 1985-25 | Review of Quality Assessment Program, FY 1985 | | 1985-26 | Personnel Management | | 1985-27 | Exhibit Policy | | 1985-29 | SAC Relationships | | 1985-30 | Promotional benefits received by Government Employees on Official Travel | | 1985-31 | Program Guidance and Planning - Fiscal Year 1986 | | 1985-32 | Incentive Honor Awards Program-1986 | | 1985-33 | Urinalysis Testing of Apprenticeship Applicants for Drugs (NSOL No. 200 42331) | | 1985-35 | Travel Instructions | | 1986-02 | State Apprenticeship Council Meetings | | 1986-07 | Concerted Effort to Reduce Youth Unemployment | | 1986-11 | Division of Reporting Responsibility for National Apprenticeship Programs and Apprentices into the Apprenticeship Management Systems (AMS) | | 1986-16 | Establishment of Apprenticeship Steering Committees in Non-SAC States | | 1987-01 | Policy on Registration of Programs and Certificates of Completion | | 1987-08 | Performance-based Apprenticeship | | 1987-09 | Testing of Apprentices for Substance Abuse | | 1988-05 | State Apprenticeship Council Unilateral Modification of Policies and/or Procedures | | 1988-08 | Trainee Program Approval/Certification | | 1988-09 | State Apprenticeship Council Unilateral Modification of Policies and/or Procedures | | 1988-12 | Objective Development, Review, and Approval of Apprenticeship Programs | | 1989-06 | BAT Policy for Processing Data Requests | | 1989-07 | Trainee Program Complaint Procedure | | 1991-07 | BAT Goals and Objectives for Fiscal Year 1992 | | 1992-01 | Policy on Registration of Programs and Certificates of Completion | | 1992-02 | Apprenticeship Quality Assessment | | 1993-01 | Exception from Reporting and Disclosure Requirements for Apprenticeship and Training Plans | | 1993-02 | Exception from Reporting and Disclosure Requirements for Apprenticeship and Training Plans Update | | 1993-03 | National Programs and Other Grouping SIC Code Assignment | | 1993-04 | BAT Communication System-Distribution Code, Amended | | 1993-05 | BAT Policy Staffing Supervisory and Management Positions | | 1994-00 | Veteran's Preference in Apprenticeship (Solicitor's Opinion) | | 1994-02 | BAT Semiannual Reporting Instructions-FY1994 | | 1994-04 | Deregistration Procedures for BAT Registered Programs | | 1994-05 | Dual Lists, 29 CFR 30 | | 1994-06 | Apprenticeability Request | | 1994-07 | The Delegation of Authority to BAT Regional Directors to Approve and Register Federal Apprenticeship Programs | | 1995-01 | Dual Lists, 29 CFR 30 | | 1995-02 | BAT Review of State Apprenticeship Councils | | 1995-03 | Deregistration Procedures for BAT Registered Programs | | 1995-04 | National Apprenticeship and Training Standards for Australia-New Zealand Direct Line (ANZDL) | | 1995-05 | Time and Performance (Competency) Considerations in Apprenticeship Programs; and Minimum Time Required to Award a Completion Certificate | | 1996-01 | Coverage of Apprenticeship Under the Age Discrimination in Employment Act (ADEA) | | 1996-03 | Records and Reports Reauthorization by OMB of ETA Forms 671 and 9039 | | 1996-05 | Coverage of Apprenticeship Under the Age Discrimination in Employment Act (ADEA) | | 1997-01 | Program Guidance Memorandum BAT Goals and Objectives for Fiscal Year 1997 | | 1997-02 | Disposition of Surplus Computer Equipment | | 1998-01 | Program Guidance Memorandum of BAT Goals and Objectives for Fiscal Year 1998 | | 1998-02 | Clearance Procedure for BAT Field Office Leases | | 1999-01 | Program Guidance Memorandum for BAT Goals and Objectives for Fiscal Year 1999 | | 1999-02 | Apprenticeability Requests | | 1999-03 | Regional Inventory Instructions | | 2000-01 | Program Guidance Memorandum: Goals and Objectives Fiscal Year (FY) 2000 | | 2000-02 | Modifications of Regional Inventory Instructions (Cir. 99-03) | | 2001-01 | Program Guidance Memorandum: Goals and Objectives Fiscal Year (FY) 2001 | | 2001-01A | Program Guidance Memorandum: Circular 2001­-01 A (Modification) | | 2002-01 | Operations Improvement Policy. | | 2005-01 | State Apprenticeship Council Unilateral Modification of Policies and/or Procedures | | 2010-01 | Apprenticeship Quality Assurance Assessment | | 2015-02 | Policy on Certificates of Completion of Apprenticeship | | 2016-04 | Affirmative Action and Good Faith Efforts |   **ACTION:** In accordance with the mandate concerning agency guidance documents contained in Executive Order 13891, OA hereby invalidates and rescinds the previously-issued circulars listed in the table above. Please note, however, that previously-issued OA circulars which still constitute valid guidance and which remain in effect are being catalogued on the Department’s website at: https://www.dol.gov/guidance. OA staff should familiarize themselves with the information contained in this Circular.  **NOTE:** In accordance with Executive Order 13891, OA Bulletins constituting guidance documents that OA has determined are no longer valid are being rescinded through the issuance of a separate rescission Circular.    **EFFECTIVE DATE:** The rescission of the previously-issued OA circulars listed in the table above is effective immediately.  **FOR MORE INFORMATION CONTACT:** Natalie Linton, Program Analyst, at 202-693-3592. | | |