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| OFFICE OF APPRENTICESHIP  BULLETIN | **NO.**  2023-34 |
| **DATE**  November 30, 2022 |

**TO:** NATIONAL APPRENTICESHIP SYSTEM STAKEHOLDERS

OFFICE OF APPRENTICESHIP STAFF

STATE APPRENTICESHIP AGENCIES

**FROM:** JOHN V. LADD /s/

Administrator, Office of Apprenticeship

**SUBJECT:** Announcement of Available Information on Registered Apprenticeship Requirements in the Inflation Reduction Act of 2022

1. **Purpose.** To inform the staff of the Office of Apprenticeship (OA), State Apprenticeship Agencies (SAAs), Registered Apprenticeship program sponsors, Registered Apprenticeship partners, and other interested parties of the apprenticeship provisions in the Inflation Reduction Act (IRA) of 2022, the U.S. Department of Treasury’s (Treasury) *Prevailing Wage and Apprenticeship Initial Guidance under Section 45(b)(6)(B)(ii) and Other Substantially Similar Provisions* (Treasury Guidance), and the launch of a dedicated website on Apprenticeship.gov to support OA and SAA staff, Registered Apprenticeship programs, and other Registered Apprenticeship stakeholders on these provisions.
2. **Action Requested.** OA requests OA and SAA staff and Registered Apprenticeship stakeholders to familiarize themselves with the information contained in this bulletin, the Registered Apprenticeship requirements in the Treasury Guidance, and the website at Apprenticeship.gov. This bulletin is being sent via electronic mail.
3. **Summary and Background.**
4. Summary – On November 29, 2022, Treasury [announced](https://home.treasury.gov/news/press-releases/jy1128) initial guidance on the apprenticeship and prevailing wage requirements of the IRA, through [Notice 2022-61](https://www.federalregister.gov/documents/2022/11/30/2022-26108/prevailing-wage-and-apprenticeship-initial-guidance-under-section-45b6bii-and-other-substantially). The IRA prevailing wage and apprenticeship requirements apply to certain qualifying facilities, projects, property, or equipment for which construction begins 60 days or more after Treasury publishes guidance. The guidance will be published in the Federal Register on November 30, 2022, meaning that such requirements will apply to qualifying facilities, projects, property, or equipment for which construction begins on or after January 29, 2023. This bulletin provides information about the Treasury Guidance, provides Registered Apprenticeship stakeholders with information about the launch of publicly available resources on the IRA, and provides information to OA and SAA staff about key information they can use to assist programs and taxpayers in meeting these requirements of the IRA.

For additional information, a White House Fact Sheet on the IRA is available here: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/19/fact-sheet-the-inflation-reduction-act-supports-workers-and-families/>.

*Note – This bulletin does not in any way replace or supersede guidance issued by Treasury or the Internal Revenue Services (IRS) on these provisions. This bulletin is intended to support Treasury in its implementation of the IRA. To the extent that the information contained in this bulletin in any way conflicts with or is not current with the Treasury guidance on these provisions, Registered Apprenticeship stakeholders must follow the Treasury guidance.*

1. Background – On August 16, 2022, President Biden signed Public Law 117-369, 136 Stat. 1818, commonly known as the Inflation Reduction Act of 2022, which amended §§ 30C, 45, 45Q, 45V, 45Y, 45Z, 48, 48C, 48E, and 179D of the Internal Revenue Code (Code) to add prevailing wage and apprenticeship requirements to qualify for increased credit or deduction amounts (<https://www.congress.gov/bill/117th-congress/house-bill/5376>).[[1]](#footnote-2) The IRA authorized Treasury to develop guidance or regulations necessary to carry out the prevailing wage and apprenticeship requirements. The U.S. Department of Labor (DOL) is committed to supporting Treasury in the effective implementation of these requirements Treasury has launched a page dedicated to providing the latest information and guidance on the implementation of the IRA, which is available here: <https://www.irs.gov/inflation-reduction-act-of-2022>.

On November 29, 2022, Treasury announced initial guidance on the IRA’s apprenticeship and prevailing wage requirements in [Notice 2022-61](https://www.federalregister.gov/documents/2022/11/30/2022-26108/prevailing-wage-and-apprenticeship-initial-guidance-under-section-45b6bii-and-other-substantially), *Prevailing Wage and Apprenticeship Initial Guidance under Section 45(b)(6)(B)(ii) and Other Substantially Similar Provisions*,to be published on November 30, 2022, which serves as the published guidance described under §§ 30C(g)(1)(C)(i), 45(b)(6)(B)(ii), 45Q(h)(2), 45V(e)(2)(A)(i), 45Y(a)(2)(B)(ii), 48(a)(9)(B)(ii), 48E(a)(2)(A)(ii)(II) and (a)(2)(B)(ii)(II), and 179D(b)(3)(B)(i) of the Code regarding the 60 day period described in such sections with respect to the prevailing wages and apprenticeship requirements. The prevailing wage and apprenticeship requirements will apply to qualifying facilities, projects, property, or equipment for which construction begins on or after January 29, 2023.

On November 29, 2022, DOL launched a comprehensive website to provide stakeholders with critical information to navigate the prevailing wage and apprenticeship-related provisions of the IRA and to support Treasury’s implementation, (please visit: <https://www.dol.gov/general/inflation-reduction-act-tax-credit>). Additionally, OA has also launched a page on Apprenticeship.gov dedicated to providing Registered Apprenticeship stakeholders with the most up to date information, resources, and Frequently Asked Questions on the IRA implementation, please visit: <https://www.apprenticeship.gov/inflation-reduction-act-apprenticeship-resources>. This page will be updated as more information is available.

1. **Registration Agency Support.**
   1. *Registered Apprenticeship Technical Assistance –* The National Apprenticeship System consists of two types of entities responsible for registering and overseeing Registered Apprenticeship Programs (RAPs). These entities include OA and federally recognized SAAs. Both OA and SAAs provide technical assistance and support to program sponsors, answer questions about the apprenticeship model, guide partners on each phase of developing a program, connect businesses to training providers, advise partners on available funding sources to support apprenticeships, and register apprenticeship programs that meet the regulatory criteria of 29 CFR parts 29 and 30. For an overview, please visit: [Apprenticeship System | Apprenticeship.gov](https://www.apprenticeship.gov/about-us/apprenticeship-system).

OA anticipates that employers, labor organizations, employer organizations, and other stakeholders and potential stakeholders will have significant interest in Registered Apprenticeship programs given the apprenticeship provisions of the IRA. Both OA and SAA staff have a significant role to play in supporting these organizations with technical assistance on joining, developing, or starting Registered Apprenticeship programs in the clean and renewable energy sector. OA and SAA staff are uniquely positioned as key resources for assisting new employers to join existing group programs or in starting their own programs, assisting in providing referrals to existing programs, and answering questions about Registered Apprenticeship. OA also encourages OA staff and SAA staff to refer parties to the website on Apprenticeship.gov for additional information.

* 1. *Prevailing Wage and Tax Credit Resources* - OA does also expect staff may receive inquiries and questions regarding the prevailing wage provisions as well as other requirements of the IRA and how to qualify for the tax benefits. OA advises staff and SAAs to refer those questions to the appropriate U.S. Department of Labor Wage and Hour Division and Treasury/IRS resources:
* <https://www.irs.gov/inflation-reduction-act-of-2022>
* <https://www.dol.gov/agencies/whd/IRA>

OA notes that there will be subsequent technical assistance made available through publicly available webinars, and encourages OA and SAA staff to attend those events.

* 1. *Resources –* Please see the following sites for additional information:
* Treasury Guidance: <https://www.federalregister.gov/documents/2022/11/30/2022-26108/prevailing-wage-and-apprenticeship-initial-guidance-under-section-45b6bii-and-other-substantially>
* DOL IRA overview: <https://www.dol.gov/general/inflation-reduction-act-tax-credit>
* Apprenticeship IRA resources: <https://www.apprenticeship.gov/inflation-reduction-act-apprenticeship-resources>
* DOL Wage and Hour Division IRA resources: <https://www.dol.gov/agencies/whd/IRA>

1. **Inquiries.** If you have any questions, please contact [ApprenticeshipIRA@dol.gov](mailto:ApprenticeshipIRA@dol.gov). Interested parties are also requested to contact the Registration Agency for their state at: <https://www.apprenticeship.gov/about-us/state-offices>.
2. **Attachments.** None.

1. The IRA also amended §§ 45L & 45U to add prevailing wage requirements to qualify for increased credit amounts. [↑](#footnote-ref-2)