

# Construction industry exempted in final rule on Industry-Recognized Apprenticeship Programs (IRAPs)

The Trump administration backs down after a huge union outcry.

It worked. An energetic campaign by North America's Building Trades Unions (NABTU) and its affiliates got the Trump administration to back off a plan that would have weakened apprenticeship programs—in construction anyway.

Since 1937, the U.S. Department of Labor (DOL) has regulated apprenticeship training programs in order to promote the health, safety and general welfare of apprentices. Thanks to that regulation, workers who graduate from registered apprenticeship programs have a credential that's recognized by employers in their industry throughout the country.

The law mandates a role for representatives of employers and labor in setting standards for apprenticeship programs. But in 2017, President Trump issued an executive order directing the DOL to develop a new kind of apprenticeship program that could be designed and overseen solely by employers and employer groups. When the DOL released proposed rules for the program last year, the agency touted the proposed "industry-

recognized apprenticeship programs" (IRAPs) as a way to entice more employers to give the apprentice model a try. But construction union leaders warned that if IRAPs were allowed in the construction industry, they could undermine existing apprenticeship programs that are well established and highly successful.

Led by NABTU, building trades unions mounted a massive campaign to keep IRAPs out of construction, with the support of several union-friendly employer groups. DOL received more than 326,800 comments about the proposed program, overwhelmingly from union members opposed to it. Oregon union members submitted over 2,000 comments.

"If construction is included in IRAP, the lack of oversight will result in a lack of safety for jobs that are already dangerous, and substandard work quality," wrote Minna Long, an apprentice at Ironworkers Local 29.

On the other side, Associated General Contractors of America (AGC) and the anti-union construction employer group Associated Builders and Contractors (ABC) appealed to the DOL to keep construction in.

In the final version of the rule published March 11, the DOL

sided with the unions, indicating that IRAPs would not be allowed in construction.

The rule is supposed to take effect May 11. But the DOL never had Congressional authority to develop or implement IRAPs. Congress hasn't allotted any money for it, and a group of mostly Democratic lawmakers is opposed.

"The IRAP system established under this rule strips the Department of Labor of its critical role in certifying that apprenticeship programs are meeting quality standards and upholding worker protections," said House Labor Committee chairman Bobby Scott (D-Va.) "The Department cannot guarantee that IRAPs are standardized and portable throughout the country.... This rule will expose apprentices to low-quality programs, squandering valuable taxpayer money and undermining the integrity of the existing registered apprenticeship system."

House Democrats are investigating whether the DOL violated federal appropriations law by steering funds Congress authorized for registered apprenticeships to contractors who did work to advance the IRAP model.

—DM



**LEGAL AID WORKERS RALLY FOR FAIR WAGES** Members of the Legal Aid Services of Oregon Workers Union rallied for better wages Feb. 27 in front of Legal Aid Services of Oregon's downtown Portland office, 520 SW 6th Ave. Bargaining has been under way for months, and management is refusing to pay adequate wages, even as Legal Aid received a windfall of millions in new funding. Management wants the 10 longest-serving support staff to accept salary increases that don't keep up with Legal Aid's own inflation projections, and even proposed that three members take a pay cut. The union says Legal Aid's low wages have hindered their ability to attract and retain the staff they need to fulfill their mission of providing legal services to low-income Oregonians. The rally was meant to send a message: "We're not stopping until we get a fair contract!"



## THOMAS, COON, NEWTON & FROST

PORTLAND LAW FIRM SINCE 1980

Workers' Compensation

Construction Injuries

Death Claims

Personal Injury & Product Liability

Medical Malpractice

Social Security Disability

Mesothelioma

[www.tcnf.legal](http://www.tcnf.legal)

503-228-5222

Straight answers. No cost for consultation.

*You are entitled to time-loss benefits while the insurer is deciding whether to accept your workers' compensation claim. If they do not pay you these "interim benefits," they owe you a penalty.*



Raymond Thomas



James Coon



Cynthia Newton



Chris Frost



Sydney Montanaro

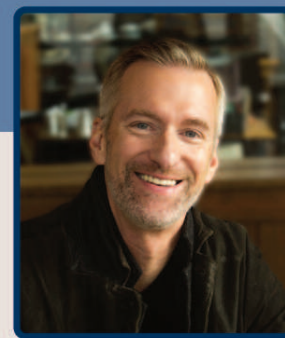


Scott Sell



Chris Thomas

820 SW Second Ave., Suite 200, Portland, OR 97204



Portland's  
**TED WHEELER**  
for MAYOR  
[www.TedWheeler.com](http://www.TedWheeler.com)

I have always been — and always will be — a champion for labor unions. Protecting the rights of skilled labor, ensuring working families have a seat at the bargaining table, and preserving YOUR right to a competitive wage is vital to economic growth and shared economic prosperity.

We're strongest when we work together as one vibrant, powerful, engaged community. Let's keep fighting together.

