



A just future begins with bold ideas

September 2, 2025

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US Department of Labor
200 Constitution Ave NW
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Re: Comments for RIN 1205-AC21, *Prohibiting Illegal Discrimination in Registered Apprenticeship Programs* (Submitted via regulations.gov)

I. Introduction

On behalf of the Institute for Women's Policy Research (IWPR), I am writing to submit comments in response to the recent notice of proposed rulemaking, *Prohibiting Illegal Discrimination in Registered Apprenticeship Programs*, RIN 1205-AC21.

Since 2015, the US government has invested more than \$1.6 billion¹ through the US Department of Labor (Department) to expand apprenticeships to new occupations and sectors, modernize the apprenticeship system, and improve the gender and racial diversity of apprentices. This included updating and expanding the 1971 nondiscrimination provisions through the 2016 Equal Employment Opportunity (EEO) in Apprenticeship Final Rule, that, among a number of provisions, established program utilization goals and targeted outreach, anti-harassment training, complaint and compliance processes, and data collection requirements to increase opportunities for highly skilled individuals, regardless of their sex, gender, gender identity, race, ethnicity, or disability.²

Thanks to the Department and its Office of Apprenticeship (OA) investment and commitment, the number of women apprentices has tripled over the last decade, with gains across all racial and ethnic groups, and the share of women among registered apprentices increased—though women remain a minority, at just 14.3 percent.³

The Department's proposed rule, which largely rescinds the 2016 EEOC 29 Code of Federal Regulations (CFR) Part 30 nondiscrimination requirements and conforms Part 29 provisions, threatens the progress women have made—and the gains still to be made—in their representation in apprenticeships. IWPR strongly opposes the proposed rule and would encourage leaving the current 2016 Final Rule intact with

¹ Benjamin Collins, *Registered Apprenticeship: Federal Role and Recent Federal Efforts* (Congressional Research Service, 2025), https://www.congress.gov/crs_external_products/R/PDF/R45171/R45171.8.pdf.

² US Department of Labor, "Prohibiting Illegal Discrimination in Registered Apprenticeship Programs," Federal Register vol. 90, no. 125, 28954 (July 2, 2025).

³ Office of Apprenticeship, "Apprentices by State Dashboard," Apprenticeship.gov, 2025, <https://www.apprenticeship.gov/data-and-statistics/apprentices-by-state-dashboard>; Ariane Hegewisch, *As Apprenticeships Expand, Breaking Down Occupational Segregation Is Key to Women's Economic Success Gender, Race, and the Wage Gap in Apprenticeship*, IWPR report #C522 (Washington, DC: Institute for Women's Policy Research, 2024), <https://iwpr.org/as-apprenticeships-expand-breaking-down-occupational-segregation-is-key-to-womens-economic-success/>.

increased resources to further support its implementation. The proposed rule, if finalized and enacted, would have negative consequences for all underrepresented populations in apprenticeships.

II. Apprenticeships Are Opportunities to Build a Skilled Workforce, Yet Access Remains Unequal for Women

IWPR welcomes the administration's commitment to "promote greater uptake of registered apprenticeship in the United States."⁴ Apprenticeships can provide valuable pathways to industry-recognized qualifications in in-demand occupations. By combining paid employment with on-the-job training and off-the-job classroom instruction, apprenticeships are an alternative to a college degree and the potential corresponding student loan debt. Yet, while in principle the apprenticeship pathway is as beneficial for women as for men, in practice, access to apprenticeships is highly unequal: Women, regardless of their race or ethnicity, are much less likely than men to be apprentices. And when they are, they are much less likely than men to be in the fields that provide career pathways to family-sustaining wages.

As previously noted, the number of women apprentices has grown significantly over the past decade, including since the finalization of the Department's EEO regulations in 2016.⁵ Between FY 2015 and FY 2025, the number of women apprentices included in the Department's Registered Apprenticeship Partners Information Database System (RAPIDS) more than tripled to 97,175,⁶ with women's numbers increasing among all races and ethnicities.⁷ While RAPIDS only includes complete data for a subsection of states, available state data suggest strong growth across states. For example, in California, the state with the largest number of apprentices that is not fully included in RAPIDS, the number of active women apprentices grew from 3,810 in 2015⁸ to 8,737 active women apprentices in 2024.⁹ However, while women comprise nearly half (47.1 percent) of the labor workforce,¹⁰ according to the Department's OA database, only one in seven apprentices (14.3 percent) were women.¹¹

Further, women are particularly underrepresented in apprenticeships that lead to high earnings. IWPR's analysis of the median hourly wages (also known as exit wages) of women and men who completed an apprenticeship in FY 2024 found that the median hourly wage for male apprentices was \$34.68,

⁴ Department of Labor, "Prohibiting Illegal Discrimination," 28954.

⁵ Department of Labor, "Prohibiting Illegal Discrimination," 28948.

⁶ Data retrieved from US Department of Labor ApprenticeshipUSA, "Apprentices by State: Interactive Apprenticeship Data," on August 6, 2025; data for FY 2015 are for October 2014 to September 2015; data for FY 2025 are for October to December 2024, <https://www.apprenticeship.gov/data-and-statistics/apprentices-by-state-dashboard>.

⁷ Hegewisch, *As Apprenticeships Expand*.

⁸ State of California, Department of Industrial Relations, Divisions of Apprenticeship Standards "2015 Legislative Report," 2015, <https://www.dir.ca.gov/DAS/reports/2015LegReport.pdf>.

⁹ State of California, Department of Industrial Relations, Divisions of Apprenticeship Standards "Third Quarterly Report" (October 24, 2024), https://www.dir.ca.gov/das/DAS_MeetingAgenda/2024/October/2024-10-CAC-ChiefsReport.pdf

¹⁰ IWPR calculation based on Table 2, "Employment status of the civilian noninstitutional population 16 years and over by sex, 1984 to date"; Household Data Annual Averages; Labor Force Statistics from the Current Population Survey (US Bureau of Labor Statistics, 2025), <https://www.bls.gov/cps/tables.htm>.

¹¹ US Department of Labor ApprenticeshipUSA, "Apprentices by State: Interactive Apprenticeship Data," accessed August 4, 2025, <https://www.apprenticeship.gov/data-and-statistics/apprentices-by-state-dashboard>.

translating into annual earnings of \$72,134 for someone working full-time year-round.¹² The median hourly wage for women who completed an apprenticeship that year, on the other hand, was just \$22.00, translating to \$45,760 for full-time year-round (2,080 hours a year) work—\$26,374 less than the comparable male apprentices' annual earnings—a gender earnings ratio of 63.4 percent.¹³ Women's median hourly earnings were significantly lower than men's across all races and ethnicities, and were lowest for Native Hawaiian or Pacific Islanders and Black women who completed an apprenticeship (\$21.21 and \$20.00, respectively).¹⁴

These differences in earnings primarily reflect women's lower access to the highest-paying apprenticeship opportunities and their overrepresentation in the lowest-paying apprenticeship careers. In 2023, the most common apprenticeship field for women was nursing assistant, with women comprising over 80 percent of all nursing assistant apprentices.¹⁵ The median hourly earnings of someone who completed a nursing assistant apprenticeship in 2024 were just \$18.00.¹⁶ The most common apprenticeship field for men in 2023 was electrician,¹⁷ with median hourly earnings of \$33.60 for those who completed their apprenticeship in 2024.¹⁸ Electrician is also a common apprenticeship field for women (it was the third most common apprenticeship for women in 2023), yet this is a heavily male-dominated field, with women making up just 4.2 percent of electrician apprentices in 2023.¹⁹

Among the top 20 apprenticeship occupations for women in 2023 were five with median hourly wages of less than \$20 per hour; in each of these, at least 80 percent of the apprentices were women. Though the list also included nine occupations with median hourly earnings higher than \$30, in seven of these, women were fewer than 1 in 10 apprentices, including three in which they were fewer than 1 in 25.²⁰ The other two were registered nurse (87.5 percent female) and correction officer (26.5 percent female). Black women, who had the lowest exit wage, had the highest likelihood of being in a predominantly female apprenticeship field.²¹

As the data demonstrate, not all apprenticeship opportunities are alike. These and the data below also show that women's underrepresentation in apprenticeships—particularly in higher-paying fields—is due not to the absence of interest or merit but rather the lack of proactive outreach and persistent discrimination. Continued efforts to address these barriers rather than exacerbate them, as the proposed rule threatens, will be critical to fulfilling the Department's purported commitment to promote apprenticeships and employer-driven innovation and economic expansion across the nation.

III. The Department's Proposed Changes Would Exacerbate Apprenticeship Challenges for Women

¹² Ariane Hegewisch, "Women Need Better Access to High-Paying Apprenticeships: 2024 Gender and Racial Wage Gaps for Apprenticeship Completers," IWPR Quick Figure #Q113 (Washington, DC: Institute for Women's Policy Research, 2024), <https://iwpr.org/women-need-better-access-to-high-paying-apprenticeships/>.

¹³ Hegewisch, "Women Need Better Access."

¹⁴ Hegewisch, "Women Need Better Access."

¹⁵ Hegewisch, *As Apprenticeships Expand*.

¹⁶ Hegewisch, "Women Need Better Access."

¹⁷ Hegewisch, *As Apprenticeships Expand*.

¹⁸ Hegewisch, "Women Need Better Access."

¹⁹ Hegewisch, *As Apprenticeships Expand*.

²⁰ Hegewisch, *As Apprenticeships Expand*.

²¹ Hegewisch, *As Apprenticeships Expand*.

The following details evidence of the harm to women, particularly women of color, that the proposed rule would cause if finalized and implemented, and the importance of maintaining the 2016 EEO Final Rule's nondiscrimination provisions and requirements in apprenticeships.

a. Rescinding affirmative action program requirements, utilization goals, and targeted outreach would threaten women's participation in apprenticeships, particularly in high-paying fields.

The Department's proposed rule to rescind Affirmative Action Program Requirements (§ 30.4), the Utilization Goals for Race, Sex, and Ethnicity (§ 30.6), and Targeted Outreach, Recruitment, and Retention (§ 30.8), would have devastating consequences on women's increasing participation in apprenticeships if finalized, particularly in the higher paying fields where women are a small minority of apprentices.

The evidence suggests that targeted outreach to women will continue to be essential. An IWPR 2021 national tradeswomen survey, which included nearly 600 apprentices, found that just 6.2 percent of apprentice respondents had been told about opportunities in the trades by their career counselors in high school, and even fewer, 3.2 percent, had learned about such opportunities at an American Jobs Center/One Stop.²² Women responding to an IWPR 2022 survey of workers in manufacturing trades were slightly more likely to be pointed toward such careers at a job center (9.5 percent), but even less likely to be told about such career opportunities at school (2.1 percent of respondents).²³ In the absence of systematic outreach, many women may miss out on the opportunities presented by apprenticeships in high-paying fields. As importantly, employers will lose out because they will only access a very incomplete talent pool.

The evidence further shows that while there has been progress, women who do pursue higher-paying apprenticeship fields, such as in the construction trades, often do not have the benefit of merit-based recruitment: They must be more qualified and more persistent to get in the door. The recently settled discrimination lawsuit against the Clarksburg Electrical Joint Apprenticeship and Training Committee (JATC) illustrates the barriers faced by women; Clarksburg JATC systematically denied women entry to its apprenticeship program even though they had all the prerequisite qualifications, including having completed a pre-apprenticeship program.²⁴ Too many women apprentices point to discrimination in hiring, access to hours, and comprehensive training.²⁵ In IWPR's 2021 national survey, among women

²² Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, IWPR report #C508 (Washington, DC: Institute for Women's Policy Research, 2021), <https://iwpr.org/a-future-worth-building-report/>.

²³ Ariane Hegewisch, *Advancing Women in Manufacturing: Perspectives from Women on the Shop Floor*, report (Washington, DC: Institute for Women's Policy Research, 2023), <https://iwpr.org/advancing-women-in-manufacturing-perspectives-from-women-on-the-shop-floor/>; there were not significant differences in responses by women apprentices and other respondents.

²⁴ US Equal Employment Opportunity Commission, "Clarksburg JATC to Pay \$150,000 to Settle EEOC Sex Discrimination Charge," news release, September 29, 2023, [Clarksburg JATC to Pay \\$150,000 to Settle EEOC Sex Discrimination Charge | U.S. Equal Employment Opportunity Commission](https://www.eeoc.gov/news-issues/clarksburg-jatc-pay-150000-settle-eeoc-sex-discrimination-charge).

²⁵ Hegewisch and Mefferd, *A Future Worth Building*; Maura Kelly, "2022 Evaluation of the Highway Construction Workforce Development Program" (Portland, OR: Portland State University, 2022); National Center on Construction Education and Research (NCCER), "In Her Own Words: Improving Project Outcomes," research

apprentices, 26.1 percent reported never or rarely being treated equally when it came to lay-offs; 21.6 percent reported never or rarely being treated equally in work assignments; 19.4 percent reported never or rarely being treated equally in on-the-job training; and 17.7 percent reported never or rarely being treated equally in hiring.²⁶ Latina and Black women are especially likely to be subject to such discrimination.²⁷

Such unequal treatment at the heart of apprenticeship programs has significant economic consequences. For example, progression and completion of registered apprenticeships typically depend on completing hours-worked benchmarks; discrimination in hiring and access to hours of work means it will take longer to reach the required hours and receive the higher rates of hourly pay. Moreover, discrimination in access to work assignments, tools, and on-the-job training means that women may have acquired fewer skills during their apprenticeship, making it harder for them to compete for skilled trades opportunities once they have completed their apprenticeship.

In addition, May 2022 testimony before the US Equal Employment Opportunity Commission's (EEOC) public hearing on discrimination and harassment in the construction industry²⁸ and the resulting May 2023 EEOC report²⁹ point to unacceptable levels of harassment and discrimination experienced by many women and workers of color in the industry, particularly among apprentices.

While the Department characterizes the affirmative action components of 29 CFR Part 30 as “undermining the goal of ensuring equality of opportunity for every individual that participates in the labor force,” the evidence suggests instead that the apprenticeship system is still far from providing equality of opportunities for underrepresented populations among apprenticeships, including women, particularly women of color. Rescinding such requirements for apprenticeship programs will likely reverse the hard-won progress for women and other underrepresented populations.

- b. Rescinding the requirement to conduct anti-harassment trainings would harm women and potentially lead to higher costs for apprenticeship sponsors.**

report, 2023, https://www.nccer.org/media/2023/05/WIC-Long-Report-2023_FINAL.pdfhttps://www.nccer.org/media/2023/05/WIC-Long-Report-2023_FINAL.pdf
https://www.oregon.gov/odot/Business/OCR/SiteAssets/Pages/Workforce-Development/Program_Evaluation_November_22_FINAL.pdf.

²⁶ Hegewisch and Mefferd, *A Future Worth Building*.

²⁷ Chandra Childers, Ariane Hegewisch, and Lark Jackson, “Here to Stay: Black, Latina, and AfroLatina Women in Construction Trades Apprenticeships and Employment,” briefing paper (Chicago: National Center for Women's Equity in Apprenticeship and Employment at Chicago Women in the Trades, 2021), https://iwpr.org/wp-content/uploads/2021/03/Here-to-Stay_revision2.pdf.

²⁸ US Equal Employment Opportunity Commission, “Meeting of May 17, 2022 - Knocking Down Walls: Discrimination and Harassment in Construction,” <https://www.eeoc.gov/meetings/meeting-may-17-2022-knocking-down-walls-discrimination-and-harassment-construction>.

²⁹ Charlotte A. Burrows, *Building for the Future: Advance Equal Employment Opportunity in the Construction Industry*, Report by the Chair (Washington DC: US Equal Employment Opportunity Commission, 2023), archived January 22, 2025, at <https://web.archive.org/web/20250122120653/https://www.eeoc.gov/building-future-advancing-equal-employment-opportunity-construction-industry>.

In addition, the proposed rule would rescind the current 2016 EEO Final Rule mandate that “sponsors provide anti-harassment training to all apprentices and to all personnel connected with the administration of their apprenticeship program” (§ 30.4(i)).³⁰ This requirement responds to the reality of experiences by many women apprentices, and, in fact, by historically underrepresented populations in trade occupations, where harassment is a near-constant occurrence for more than a quarter of women, according to IWPR’s 2021 national survey of tradeswomen.³¹ In the same survey, 21.0 percent of women of color reported they were always or frequently racially harassed, and 19.0 percent of LGBTQ respondents said they always or frequently faced harassment based on their sexual orientation.³² The same survey showed that 57.9 percent of tradeswomen who made the difficult decision to speak up about discrimination or harassment to someone in authority felt their concerns were not addressed satisfactorily.³³ Likewise, respondents—specifically among the women apprentices—also pointed to high levels of reported harassment, including sexual harassment, racial harassment, harassment on the basis of their sexual orientation, and harassment just for being a woman.³⁴

Clearly, challenges persist, but the solution is not to move backward: Rescinding the anti-harassment training requirement would likely worsen the work environment for many apprentices, particularly those who are in occupations where they are the minority of workers. It may also increase the costs for apprenticeship sponsors: When harassment and discrimination are not addressed, apprentices are more likely to leave their programs.³⁵

c. Rescinding and replacing the current complaint and compliance processes would place additional burdens on individual apprentices and resource strain on already under-resourced agencies.

Women would likewise bear the burden of the proposed revisions to rescind and replace the complaint process (§ 30.14). Rather than the Department maintaining the current unique complaint framework for apprenticeships, the proposed rule directs Registration Agencies (OA, the State Apprenticeship Agency or other entity recognized by OA as responsible for overseeing the apprenticeship program) to defer all complaints to the EEOC, the US attorney general or a state attorney general, or an applicable state enforcement agency.³⁶ The Department contends that “maintaining a separate and unique discrimination complaint framework for apprenticeship

³⁰ Department of Labor, “Prohibiting Illegal Discrimination,” 28947.

³¹ Hegewisch and Mefferd, *A Future Worth Building*.

³² Hegewisch and Mefferd, *A Future Worth Building*.

³³ Eve Mefferd, “New Tradeswomen Survey Shows that Construction Industry Needs to Tackle Discrimination and Harassment to Retain Women; Oregon Initiatives Show How,” IWPR (blog), November 22, 2021, <https://iwpr.org/new-tradeswomen-survey-shows-that-construction-industry-needs-to-tackle-discrimination-and-harassment-to-retain-women-oregon-initiatives-show-how/>.

³⁴ Hegewisch and Mefferd, *A Future Worth Building*; Maura Kelly and Lindsey Wilkinson, *2020 Evaluation of the Highway Construction Workforce Development Program Workforce Development Program*, Sociology Faculty Publications and Presentations, 151 (2020), https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1151&context=soc_fac.

³⁵ Hegewisch and Mefferd, *A Future Worth Building*; Kelly and Wilkinson, *2020 Evaluation*.

³⁶ Department of Labor, “Prohibiting Illegal Discrimination,” 28957.

does not serve apprentices' interests.”³⁷ Evidence demonstrates, however, that placing the onus on individual apprentices to shoulder the burden of shepherding a complaint is a huge burden, including mental health and financial costs.³⁸ In men-dominated occupations where there are few women, IWPR research found the lifetime costs of workplace sexual harassment and retaliation were particularly high for those pushed out of well-paid occupations, reaching \$1.3 million for an apprentice in the construction trades.³⁹

Beyond placing reporting burden on the complainant, proposing to route complaints unique to the apprenticeship program to the EEOC or other state enforcement authorities places investigative and resource strains on already under-resourced agencies.⁴⁰ The EEOC, for instance, has experienced an increasing number of complaints each year paired with relatively stagnant funding levels.⁴¹ Furthermore, following President Trump's firing of the EEOC chair and vice chair in January 2025, with just two of five seats filled, the EEOC lacks the necessary quorum to enact major policy changes, issue new guidance, or pursue any enforcement actions that would require a majority vote.⁴² Regardless, Acting Chair Andrea Lucas, who was recently confirmed for a second term, has redirected the agency's traditional focus from enforcing civil rights law in the workplace to questioning diversity, equity, and inclusion programs and “enforcing the binary nature of sex.”⁴³

By changing the complaint and compliance processes,⁴⁴ the proposed rule, if finalized, may delay and limit the options of the Department's OA and State Apprenticeship Agencies to intervene in cases of discrimination and severe misconduct. Research suggests that OA and State Apprenticeship Agencies are often able to resolve discrimination complaints with technical advice and by intervening informally.⁴⁵ Such timely and lower-cost interventions may be lost under the proposed changes. Under the proposed

³⁷ Department of Labor, “Prohibiting Illegal Discrimination,” 28957.

³⁸ Ariane Hegewisch, Jessica Forden, and Eve Mefferd, *Paying Today and Tomorrow: Charting the Financial Costs of Workplace Sexual Harassment*, IWPR report (Washington, DC: Institute for Women's Policy Research, 2021), <https://iwpr.org/paying-today-and-tomorrow-report/>; Ellen Berrey, Robert L. Nelson, and Laura Beth Nielsen, *Rights on trial: How workplace discrimination law perpetuates inequality* (University of Chicago Press, 2017).

³⁹ Hegewisch et al., *Paying Today and Tomorrow*.

⁴⁰ Center for Workplace Compliance, “Flat Funding May Be Best Hope for EEOC and OFCCP in FY 2025,” August 6, 2024,

<https://cwc.org/CWC/CWC/Updates/2024/Flat-Funding-May-Be-Best-Hope-for-EEOC-and-OFCCP-in-FY-2025.aspx#:~:text=With%20a%20stopgap%20bill%2C%20agencies%20such%20as,their%20enforcement%20responsibilities%20effectively%20without%20adequate%20funding.>

⁴¹ US Equal Employment Opportunity Commission, Enforcement and Litigation Statistics, Table E1e Charge Receipts by Statute or Basis and by Issue (All Statutes) FY 2010–FY 2024, <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0>; US Equal Employment Opportunity Commission, EEOC Budget and Staffing History 1980 to Present, <https://www.eeoc.gov/eeoc-budget-and-staffing-history-1980-present>.

⁴² Alexandra Olson and Claire Savage, “Trump Fires Two Democratic Commissioners of Agency that Enforces Civil Rights Laws in the Workplace,” AP News, January 29, 2025, <https://apnews.com/article/trump-eeoc-commissions-firings-crackdown-civil-rights-c48b973cb32bad97e9da9e354ba627db>.

⁴³ Nick Gallogly, “Andrea Lucas Confirmed to Equal Employment Opportunity Commission,” *New York Times*, July 31, 2025,

<https://www.nytimes.com/2025/07/31/us/politics/andrea-lucas-equal-employment-opportunity-commission.html>.

⁴⁴ Department of Labor, “Prohibiting Illegal Discrimination,” 28957.

⁴⁵ Zach Boren and Shruti Nayak, “State-Level Policies Develop Skilled Workforces through Registered Apprenticeship Programs,” brief (Washington, DC: Urban Institute, 2025), <https://www.urban.org/research/publication/state-level-policies-develop-skilled-workforces-through-registered>

rule, if implemented, apprenticeship agencies may be less likely to become aware of potential misconduct because they would no longer be the primary recipient of complaints; thus, they may be less likely to help resolve and address complaints.

Moreover, the proposed rule change to the compliance process, proposing that the Department may initiate enforcement actions regarding a nondiscrimination violation only once there has been a final determination⁴⁶—a process that can be lengthy, not least of which due to pressures on EEOC resources,⁴⁷ and would severely restrict OA or State Apprenticeship Agency's options for timely interventions. The National Apprenticeship Act of 1937 was passed to establish standards to safeguard the welfare of the apprentice;⁴⁸ it is unclear how the proposed changes live up to that obligation.

With discrimination and disrespect being the most common reasons women apprentices cite for seriously considering abandoning their programs,⁴⁹ unfortunately, women and workers of color have lower completion rates than other apprentices.⁵⁰ Reducing oversight and intervention in cases of discrimination and harassment would likely increase non-completion of apprenticeship programs, preventing employers and labor markets overall from reaping the benefits of investments in apprenticeship.

d. Imposing uniform standards may reduce states' initiative and innovation for addressing and preventing harassment and discrimination in apprenticeships.

Further, the proposed rule rescinds parts of 29 CFR Part 30 covering State Apprenticeship Agency (§ 30.18) requirements. While the Department asserts such change establishes a “uniform standard,” rather than a minimum standard for nondiscrimination, if finalized and implemented, it would potentially stifle State Apprenticeship Agency innovation that has enabled and supported women's increased participation and advancement in apprenticeship fields to date.

While the Department contends that a variance in application has “resulted in divergent sets of rules and requirements for registered apprenticeship program sponsors,” any attempt to reduce proactive policymaking and limit the ability of states to pursue equal and broad access to apprenticeship programs would be particularly harmful to women.

Women's access to apprenticeships, including to apprenticeships in the highest-paying fields, varies widely between states. In 2024, for example, among the states represented in RAPIDS, women's share of all apprentices ranged from 28.4 percent in South Carolina and 23.6 percent in West Virginia to fewer than 5 percent in Oklahoma (4.6 percent) and Delaware (4.1 percent). Beyond inclusion, RAPIDS also

⁴⁶ Department of Labor, “Prohibiting Illegal Discrimination,” 28959.

⁴⁷ US Government Accountability Office, “Equal Employment Opportunity Commission: Oversight of the Length of the Charge Intake Process is Needed,” GAO-23-106245, October 31, 2022, <https://www.gao.gov/products/gao-23-106245>; US Equal Employment Opportunity Commission, EEOC Budget and Staffing History 1980 to Present, Table E1c: Charge Receipts and Resolutions by Type (All Statutes) FY 1997–FY 2024, <https://www.eeoc.gov/eeoc-budget-and-staffing-history-1980-present>.

⁴⁸ “National Apprenticeship Act (Fitzgerald Act) of 1937,” Public Law 75-308 US Statutes at Large 50 Stat. 664, chapter 663, <https://www.govinfo.gov/content/pkg/COMPS-3091/pdf/COMPS-3091.pdf>.

⁴⁹ Hegewisch and Mefferd, *A Future Worth Building*.

⁵⁰ Russell Ormiston and Cihan Bilginsoy. “Measuring Diversity in Construction Apprenticeship Programs,” Economic Policy Institute (blog), November 21, 2024, <https://www.epi.org/blog/measuring-diversity-in-construction-apprenticeship-programs-data-show-higher-rates-of-participation-of-women-hispanic-workers-and-workers-of-color-in-union-based-apprenticeships-than-nonunion-progr/>.

highlights large qualitative differences in outcomes for women: The median hourly wage for women after completing an apprenticeship in West Virginia was \$31.50 compared to just \$18.00 in South Carolina.⁵¹

Limiting states' rights to proactive policies, even indirectly, is particularly likely to reduce women's access to high-paying apprenticeships in fields that are nontraditional for women. Progress in advancing apprenticeship in high-paying fields for women has been particularly high in some State Apprenticeship Agency systems. In Oregon, for instance, women's share of electrician and carpenter apprentices—9 and 15 percent, respectively⁵²—is each more than twice as high as the average of the states included in RAPIDS.⁵³ Similarly, in Oregon, women's share of construction trades apprenticeships is 9.6 percent, nearly double that of the national average of 5.4 percent.⁵⁴ In neighboring Washington, which is likewise a State Apprenticeship Agency-run system, women's rate of construction apprenticeships is also above average at 7.8 percent.⁵⁵ This progress has been made by using proactive policies, including data analysis and reporting, research, funding and resources, and cooperation among industry stakeholders. Limiting state options for state-level initiative and oversight of apprenticeship programs will limit innovation and advancement of the very policies and practices that have enabled the progress and growth of women's participation in historically nontraditional, high-paying apprenticeship fields.

e. Data collection is crucial to analyze the progress and remaining challenges facing women and other historically underrepresented populations in apprenticeships.

Finally, in order to conform with the proposed rule's rescissions to 29 CFR Part 30, the Department would make what it terms as “technical and conforming edits” to 29 CFR Part 29.⁵⁶ Particularly alarming, one such change would remove the specific demographic categories of race, sex, ethnicity, and disability status from the Apprenticeship Agreement—the contract between the apprentice, the program, and potentially an apprenticeship committee outlining the terms of the program, and instead require merely that it contain a “request for demographic data about the apprentice.”⁵⁷ The Department claims such modification would “provide greater flexibility for apprenticeship stakeholders and the Registration Agency” (OA or State Apprenticeship Agencies).⁵⁸ This modification, if implemented, would threaten the reliability of future data collection and reporting efforts to understand who is participating in

⁵¹ Data retrieved from US Department of Labor ApprenticeshipUSA “Apprentices by State: Interactive Apprenticeship Data” on August 6, 2025; data for FY 2024, <https://www.apprenticeship.gov/data-and-statistics/apprentices-by-state-dashboard>.

⁵² ECONorthwest, “Oregon Housing Production Workforce Assessment,” Exhibit 56 Report prepared for Oregon Higher Education Coordinating Commission (Portland: ECONorthwest, February 2025), https://www.oregon.gov/workforceboard/data-and-reports/Documents/OR_Housing_Production_Workforce%20Assessment.pdf.

⁵³ IWPR calculations based on data retrieved from US Department of Labor ApprenticeshipUSA “Apprentices by State: Interactive Apprenticeship Data” on August 6, 2025; data for FY 2024, <https://www.apprenticeship.gov/data-and-statistics/apprentices-by-state-dashboard>; only includes apprentices with gender ID.

⁵⁴ Ariane Hegewisch, “Numbers Matter: Women Working in Construction,” IWPR Quick Figure #Q120 (Washington, DC: Institute for Women's Policy Research, 2025), <https://iwpr.org/numbers-matter-women-working-in-construction-3/>.

⁵⁵ Data provided by Washington State Department of Labor & Industry.

⁵⁶ Department of Labor, “Prohibiting Illegal Discrimination,” 28960.

⁵⁷ Department of Labor, “Prohibiting Illegal Discrimination,” 28960.

⁵⁸ Department of Labor, “Prohibiting Illegal Discrimination,” 28960.

apprenticeships, in which fields, and with what outcomes. It would also hamper the ability to measure progress or innovative best processes for outreach and inclusive practices.

Furthermore, while not a specific data collection change pertaining to sex, gender, race, or ethnicity, the proposed rule would rescind the current provision of 29 CFR Part 30 that requires sponsors maintaining an Affirmative Action Program to invite applicants and current apprentices to voluntarily identify as an individual with a disability.⁵⁹ The Department claims that “burden and confusion caused by this requirement outweighs any benefit from the invitation.”⁶⁰ While the Department provides no evidence for its claims, research shows that employers of apprentices do not perceive the collection of demographic apprenticeship data as a major cost or inhibitor to the growth of apprenticeship programs.⁶¹ Yet, prohibiting the ability to collect harmonized data would mean the Department, State Apprenticeship Agencies, apprenticeship sponsors, and other industry stakeholders would lose access to crucial information to assess whether apprenticeships are delivering what they promise.

Leaving any inequality unchecked or pretending it does not exist by simply ceasing its measurement will not only worsen the injustice and discrimination experienced by individual apprentices but also be costly to the industries that rely on a well-working, inclusive apprenticeship system to meet their workforce needs. Rather than providing greater flexibility or minimizing confusion, as the Department claims, such changes instead hinder the individual apprentices, apprentice stakeholders, and Registration Agencies from valuable insights for strategic ventures—including efforts to build a workforce development system that can meet the challenges of the 21st-century labor market through apprenticeship.

Apprenticeships are developed for fields with high skill needs. As discussed above, many of these fields are characterized by high levels of gender and other forms of segregation and discrimination. RAPIDS and other state demographic data show that discrimination and barriers persist and that utilization goals, targeted outreach, complaint and compliance processes, and OA and State Apprenticeship Agency nondiscrimination innovation and initiative must be encouraged in order to see progress and meet industry needs.

Intentional policies and practices are required to ensure that as broad a range of potential applicants as possible are able to compete for apprenticeship positions, and that those who are recruited have the opportunity to fully develop their potential without barriers of discrimination on equitable grounds.

IV. Conclusion

⁵⁹ Department of Labor, "Prohibiting Illegal Discrimination," 28956.

⁶⁰ Department of Labor, "Prohibiting Illegal Discrimination," 28956.

⁶¹ Daniel Kuehn, Siobhan Mills De La Rosa, Robert Lerman, and Kevin Hollenbeck, "Do Employers Earn Positive Returns to Investments in Apprenticeship? Evidence from Registered Programs under the American Apprenticeship Initiative," report prepared for US Department of Labor, Employment and Training Administration (Rockville, MD: Abt Associates and Washington, DC: Urban Institute, 2022), <https://www.dol.gov/agencies/eta/research/publications/do-employers-earn-positive-returns-investments-apprenticeship>.



A just future begins with bold ideas

Women have made substantial gains in representation among apprenticeships in the past decade, thanks in large part to the Department's OA leadership, State Apprenticeship Agencies' innovation and industry collaboration, and the advancement of nondiscrimination protections under the current 2016 EEO final rule. For the non-exhaustive reasons highlighted above, IWPR strongly opposes the proposed rule and would encourage leaving the current 29 CFR Part 30 provisions in place.

While continued progress for women and other underrepresented populations in apprenticeships will entail further support from the Department, as well as increased funding from Congress, the adoption of the proposed rule would have devastating consequences for the participation of women, and particularly women of color, in apprenticeships in the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "Kate Bahn".

Kate Bahn, PhD

Chief Economist & Senior Vice President of Research
Institute for Women's Policy Research