Understanding On-The-Job Training & Apprenticeship Approval

An Informational Guide for Employers and Sponsors

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U.S. Department of Veterans Affairs

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Preface

This informational guide is written for employers and sponsors who are offering (or wish to offer) On-the-Job or Apprenticeship training (OJT/APP) to Veterans and their beneficiaries.

The law provides that VA may pay educational assistance to Veterans and other eligible individuals while they pursue approved training programs. Approval may be granted for programs offered at educational institutions as well as formal on the job training provided by employers (private or public).

The Director, Education Service, Veterans Benefits Administration, on behalf of the Secretary of Veterans Affairs, has authority to approve programs offered by agencies of the Federal Government. State Approving Agencies (SAA) have approval authority over non-federal OJT/APP training programs within their respective states. Registered apprenticeship programs are approved by the U.S. Department of Labor (DOL).

If after review, you have further questions about VA policies and procedures or about completing VA forms, contact your SAA (non-federal approvals only) or your VA Education Liasion Representative (ELR) (federal approvals only). You can locate your SAA here and ELR contact information can be found here.

For questions regarding registered apprenticeships, please contact your state DOL representative. Contact information can be found here.

You may also review additional information on eligibility for benefits and copies of pamphlets, which provide detailed information on the GI Bill website and DOL's registered apprenticeships website here.

Program Overview

Benefits for On-the-Job and apprenticeship training are available for Veterans under the various VA educational assistance programs, including the Post-9/11 GI Bill. These programs allow Veterans to learn a trade or skill through training on the job rather than by attending a formal program of classroom based instruction yielding a degree or certificate. A Veteran generally enters into a training contract for a specific period with an employer or union, and at the end of the training period, the Veteran gains job certification or journeyman status.

Employers or unions generally pay a reduced OJT/apprenticeship wage (which must be at least 50% of journeyman wage). Unless the training establishment is operated by a Federal, State, or local government, periodic wage increases must be granted and, by the last full month of training, the wage must be at least 85% of the wage for a fully trained employee. Veterans in an approved program can use their GI Bill benefit and receive tax-free benefits. First, the Post-9/11

GI Bill pays a Monthly Housing Allowance (MHA) is based on the Department of Defense's Basic Allowance for Housing (BAH) for an E-5 with dependents, which is paid in addition to wages.

Stipend =	First six months of training	100% of applicable MHA
	Second six months of training	80% of applicable MHA
	Third six months of training	60% of applicable MHA
	Fourth six months of training	40% of applicable MHA
	Remaining pursuit of training	20% of applicable MHA

The stipend is reduced 20% every six months, until it equals 20% of the Monthly Housing Allowance, as the Veteran's wages regularly increase until the Veteran has attained journeyman status and pay. Second, the Post-9/11 GI Bill also pays up to $83 per month for books and supplies in a lump sum. Stipend payments for other GI Bill programs are found here.

Approved employers can use this benefit as a recruiting tool by using wages plus stipend to attract Veteran candidates. This training is not available to active duty Servicemembers or their spouses using a transferred benefit.

Conditions Prior to Approval (VA)

Prior to approval, the following conditions must be met:

- Availability of qualified journey workers to provide close supervision to trainees throughout the training program.
- Ability to maintain records for each trainee. At a mimimum, records should include
  - Job assignments
  - Promotions/demotions
  - Lay offs/terminations
  - Rates of pay
  - Progress in training as outlined in the work processes
  - Hours of training given monthly in each process, and
  - Overall progress evaluations made at least each 3 months

- Credit must be given for previous training and experience, and the length of the program reduced proportionately.
    - Trainees who are granted credit must be placed into the appropriate step of the wage progression scale

- A copy of the approved training agreement must be provided to the trainee and VA.

- The wages paid to VA trainees will not be less than wages paid to trainees who are not eligible for VA benefits.

- The beginning wage will be at least 50% of the wage for a fully trained employee, periodic wage increases will be granted, and by the last full month of training the wage will be at least 85% of the wage for a fully trained employee, unless your establishment is operated by a Federal, State or local government.

- There is a reasonable certainty that the job for which the training is provided will be available to the trainee after training has been completed.

Approval of Programs (VA)

The Director, Education Service, Veterans Benefits Administration, on behalf of the Secretary of Veterans Affairs, has authority to approve programs offered by agencies of the Federal Government, as well as progams related to interstate commerce carriers and railroads.

Under the provisions of of 38 U.S.C. §3671, SAAs have approval authority over non federal OJT/APP training programs within their respective states. Employers wishing to have their OJT/APP program(s) approved must contact the SAA to begin the approval process. Employers wishing to obtain approval in multiple States must contact the SAAs within those States.

Approval requirements for both federal and non-federal OJT/APP programs are the same. When applying, the below information must be submitted to the VA ELR (federal) or SAA (non-federal):

- Employer's Application to Provide Job Training
- Training outline (schedule of major operations and tasks to be learned, including number of hours required over the duration of the program).
- For apprenticeships – Meet criteria standards of apprenticeships published by Department of Labor pursuant to 29 USC 50a.

Read our FAQ to learn more information regarding OJT & apprenticeship programs and how to apply.

Registering Your Program (DOL)

The U.S Department of Labor's Office of Apprenticeship, works in conjunction with State Apprenticeship Agencies to administer the program nationally. These agencies are responsible for registering apprenticeship programs that meet federal and state standards; protecting the safety and welfare of apprentices; issuing nationally recognized and portable Certificates of Completion of Apprenticeship to apprentices; promoting the development of new programs through marketing and technical assistance; assuring that all programs provide high quality training; and assuring that all programs produce skilled and competent workers

Depending on your needs, there are multiple options for how you can register your program:

- **National Guideline Standards (NGS)** – NGS are generally appropriate for organizations with mutiple chapters of affiliates across the country. NGS are useful when organizations seek to provide some level of consistency across their affiliates, but wish to allow for some ability to customize progams at the local level.
- **National Program Standards (NPS)** – NPS are generally appropriate for large national employers that wish to implement the same apprenticeship program across the country in multiple locations.
- **Local Apprenticeship Program Standards** – Local programs are appropriate for apprenticeship programs operating in one state or region.

For templates to assist you in developing your program standards, which are required for registration, please visit here.

For more information on the registration process, please contact your state representative. Contact information can be found here.

Registered Apprenticeship Sponsors

Industries today are constantly on the lookout for talent, and our nation's Veterans are a proven talent pool. The Departments of Veterans Affairs (VA) and Labor are working together to make GI Bill® approval for registered apprenticeship programs a seamless process.

If your program is currently a registered apprenticeship program, it qualifies to be "deemed approved" for the GI Bill®. To determine whether your program is eligible, it is best to first contact your SAA for advice and guidance.

To ensure that eligible Veterans in your Registered Apprenticeship program can receive GI Bill benefits, you will need to provide the following completed forms and information to your SAA:

- **Employer's Application to Provide Job Training** - VA Form 22-8865

- **Designation of Certifying Official(s) –** VA Form 22-8794
  - Can be obtained from SAA representative
  -
- **Registered Apprenticeship Program Standards**
  - **Forms can be found here.**

Your SAA can authorize your Registered Apprenticeship program as **"Approved for the GI Bill®"** typically within 30 days. Then, VA can provide your eligible Veterans with the GI Bill educational assistance benefits they have earned. Please inform your Veteran apprentices they should visit the GI Bill website to complete their individual applications to receive benefits.

By taking this simple action, your organization is not only supporting your current eligible Veteran apprentices, but also ensuring that future Veterans you hire in the Registered Apprenticeship program can also receive their GI Bill benefits. We encourage you to inform your Veteran apprentices about the GI Bill benefits available and advertise your program's eligibility in your Veteran apprentice recruitment efforts.

Upon approval, we encourage you to include in your apprenticeship job openings that the positions are **"Approved for the GI Bill®" in order** to inform Veterans about their potential eligibility for those benefits as an apprentice with your organization. Please also include the following trademark disclaimer – '"GI Bill®" is a registered trademark of the U.S. Department of Veterans Affairs (VA).' More information about education benefits offered by VA is available at the official U.S. government Web site **here.**

Employer Responsibility

Apprenticeship programs provide jobs to apprentices, oversee training development, and provide hands-on learning and technical instruction for apprentices.

As an employer/sponsor, you are the point of contact for Veterans enrolled in your program. Providing them with general information regarding your program will be one of your primary responsibilities. In addition, you will also be responsible for the following certification and recordkeeping requirements:

- Maintaining the Veterans files
- Verifying hours submitted to VA. The Certifying Official must have access to official payroll records or other official records that reflect hours worked.

- Completing and forwarding the initial and monthly Enrollment Certifications (VA Form 22-1999 and VA Form 22-6553d-1), and a copy of the signed training agreement to the VA Regional Processing Office.
- Evaluating and maintaining a record of previous education and training of Veterans and eligible persons, granting appropriate credit, shortening the course/program proportionately and notifying the trainee of the results of the evaluation. A copy of the trainee's notification should be retained in the file.
- Forwarding appropriate documentation to VA. This includes:
    - Copies of all Training Agreements
    - Notification of trainee withdrawal from a program
    - Changes in Certifying Officials
    - Changes in requirements for approved programs
    - Name and/or address changes for the organization or the primary Certifying Official

Federal Statute References

Source: 38 U.S.C. § 3677: Approval of Training On the Job

(a) Any State approving agency may approve a program of training on the job (other than a program of apprenticeship) only when it finds that the job which is the objective of the training is one in which progression and appointment to the next higher classification are based upon skills learned through organized and supervised training on the job and not on such factors as length of service and normal turnover, and that the provisions of subsections (b) and (c) of this section are met.

(b)(1) The training establishment offering training which is desired to be approved for the purposes of this chapter must submit to the appropriate State approving agency a written application for approval which, in addition to furnishing such information as is required by the State approving agency, contains a certification that—

(A) the wages to be paid the eligible veteran or person

(i) upon entrance into training, are not less than wages paid nonveterans in the same training position and are at least 50 per centum of the wages paid for the job for which the veteran or person is to be trained, and

(ii) such wages will be increased in regular periodic increments until, not later than the last full month of the training period, they will be at least 85 per centum of the wages paid for the job for which such eligible veteran or person is being trained; and
(B) there is reasonable certainty that the job for which the eligible veteran or person is to be trained will be available to the veteran or person at the end of the training period.

(2) The requirement under paragraph (1)(A)(ii) shall not apply with respect to a training establishment operated by the United States or by a State or local government.

(3) The requirement for certification under paragraph (1) shall not apply to training described in section 3452(e)(2) of this title.

(c) As a condition for approving a program of training on the job (other than a program of apprenticeship) the State approving agency must find upon investigation that the following criteria are met:

(1) The training content of the course is adequate to qualify the eligible veteran or person for appointment to the job for which the veteran or person is to be trained.

(2) The job customarily requires full-time training for a period of not less than six months and not more than two years.

(3) The length of the training period is not longer than that customarily required by the training establishments in the community to provide an eligible veteran or person with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran or person will need to learn in order to become competent on the job for which the veteran or person is being trained.

(4) Provision is made for related instruction for the individual eligible veteran or person who may need it.

(5) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

(6) Adequate records are kept to show the progress made by each eligible veteran or person toward such veteran's or person's job objective.

(7) No course of training will be considered bona fide if given to an eligible veteran or person who is already qualified by training and experience for the job.

(8)A signed copy of the training agreement for each eligible veteran or person, including the training program and wage scale as approved by the State approving agency, is provided to the veteran or person and to the Secretary and the State approving agency by the employer.
(9) That the course meets such other criteria as may be established by the State approving agency.

Source: 38 U.S.C. § 3687: Apprenticeship or Other On-Job Training

(a) An eligible veteran (as defined in section 3452(a)(1) of this title) or an eligible person (as defined in section 3501(a) of this title) shall be paid a training assistance allowance as prescribed by subsection (b) of this section while pursuing a full-time—

(1) program of apprenticeship approved by a State approving agency as meeting the standards of apprenticeship published by the Secretary of Labor pursuant to section 2 of the Act of August 16, 1937 (popularly known as the "National Apprenticeship Act") (29 U.S.C. 50a), or

(2) program of other on-job training approved under provisions of section 3677 of this title, subject to the conditions and limitations of chapters 34 and 35 of this title with respect to educational assistance.

NOTE: Federal OJT/APP program approvals must adhere to the same statute outlined above. However, per 38.U.S.C.S 3672, the Secretary has responsibility for the approval of courses of education offered by any agency of the Federal Government authorized under other laws to supervise such education.

Source: 38 U.S.C. § 3672: Approval of Courses

(b)(1) The Secretary shall be responsible for the approval of courses of education offered by any agency of the Federal Government authorized under other laws to supervise such education. The Secretary may approve any course in any other educational institution in accordance with the provisions of this chapter and chapters 34 and 35 of this title.

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