



Industry  
Recognized  
Apprenticeship  
Programs  
Overview





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# Introduction

## NIMS IRAPs

NIMS offers Industry-Recognized Apprenticeship Programs (IRAPs) in all sectors of manufacturing and industrial maintenance based on NIMS industry-approved standards. Recognized programs must demonstrate the ability to meet all requirements of 29 CFR 29.22(a)(4).

### What is an Industry-Recognized Apprenticeship Program (IRAP)?

According to Apprenticeship.gov, IRAPs are “high-quality apprenticeship programs recognized as such by a Standards Recognition Entity (SRE) pursuant to the DOL’s standards. These programs provide individuals with opportunities to obtain workplace-relevant knowledge and progressively advancing skills. IRAPs include a paid-work component and an educational component and result in an industry-recognized credential.”

At their core, all apprenticeships are work and learn models. The NIMS approach to apprenticeship is to help organizations ensure that their programs meet all government requirements while also providing a structured framework to ensure high-quality, results-driven training.

### What is a Standards Recognition Entity (SRE)?

According to the U.S. Department of Labor (DOL), SREs are responsible for:

- Recognizing and overseeing IRAPs.
- Recognizing or rejecting IRAPs
- Notifying the DOL Office of Apprenticeship of IRAP status
- Providing to the Office of Apprenticeship program and performance data
- Reviewing and validating high-quality IRAPs as set forth by DOL in § 29.22(a)(4)
- Ensure that IRAPs are recognized and validated in an impartial manner based on objective, merit-based criteria
- Maintaining ongoing quality control of IRAPs
- Monitoring IRAPs and suspending or derecognizing those that fail to comply with requirements
- Ensuring IRAPs meet Federal, State, and local laws pertaining to EEO and reflect comprehensive outreach strategies to reach diverse populations
- Maintaining a complaint notification procedure
- Notifying the Office of Apprenticeship of any major changes to the policies and procedures herein



## NIMS Apprenticeship Program Purpose

The purpose of NIMS IRAP is to set the standard for apprenticeships, ensuring more flexibility to meet the needs of industry and close the complexity gap. NIMS sets the standard for high quality apprenticeship programs and seeks to recognize what employers are already doing well while providing a framework and principles to structure training.

## Confidentiality

### Program Confidentiality

All information submitted in connection with an application for recognition is deemed to be confidential, except for that which is already in the public domain. NIMS may disclose de-identified, aggregated data submitted by applicants. This policy is important to encouraging apprenticeship programs to seek recognition and to promote openness in the application process. NIMS must disclose certain information to DOL and the public, identified in the [Public Disclosure](#) section below. NIMS will not disclose such information to any other third party without the written consent of the applicant.

NIMS will not disclose confidential information related to or verbally discussed during application review meetings or other verbal or written information identified as confidential NIMS business.

NIMS will not divulge the specific contents of NIMS IRAP applications and related documents or any information about an applicant received verbally or in writing.

NIMS will not disclose confidential information related to IRAP application requests for reconsideration or other actions affecting recognition status that are being considered by NIMS unless required by a court with competent jurisdiction.

Neither NIMS staff nor any individual reviewers are authorized to disclose recognition decisions via phone or e-mail.

### Individual Privacy

In addition to maintaining application and program confidentiality, NIMS takes measures to protect the individual privacy of programs and their participants. Our full privacy policy may be found here: <https://www.nims-skills.org/privacy-policy>.

Furthermore, NIMS does not disclose any individual apprentice or candidate data without prior written consent. All NIMS employees, committee and council members and Board of Directors sign non-disclosure agreements to protect privacy and confidentiality.



*Reference Document(s)*

- Authorization to Disclose Transcript Form
- Employee NC/ND Agreement

## Program Disclosure

### Department of Labor

All information regarding IRAPs recognized by NIMS may be reported to DOL including applications, application decisions, suspension or revocation, all apprentice and program information required by NIMS in the [Reporting](#) section of this document, and policies and procedures used by NIMS to evaluate and recognize IRAPs.

### Public Disclosure

All approved IRAPs will be posted on the NIMS website, <https://www.nims-skills.org/nims-approved-iraps>, and will include the following information:

- Organization Name
- Locations (City, State)
- Industry
- Job Roles and/or Occupations
- Industry-Recognized Credentials that will be obtained by apprentices

Programs that are revoked or suspended will be removed from the website, but NIMS will not provide announcements or make comments on those programs to the public.

# Program Requirements

## Eligibility

### Program Content

NIMS will recognize IRAPs in any industry, occupation, or job role for which we have [industry standards](#).

### Programs with Multiple Occupations

NIMS IRAP recognition is not contingent on a job by job application process. Applicants may create one IRAP for multiple job roles or occupations provided the program structure is the same throughout.

## Required Program Components

According to DOL, there are several hallmarks of a high quality IRAP: “paid work; work-based learning; mentorship; education and instruction; obtaining industry-recognized credentials; safety and supervision; and adherence to equal employment opportunity obligations.” This section outlines the requirements for a program to be recognized by NIMS and the evaluation criteria for each.

### Training Plan

Applicants seeking recognition for an IRAP must have a written training plan that contains a description of all required components in this section. Training plans will be monitored at distinct points to ensure that goals and procedures are being met. NIMS will conduct ongoing monitoring of training plans against training results to ensure that apprentices’ skill upgrades are being realized and translated into market outcomes, such as job retention and improved earnings.

### Apprenticeship Agreement

This is a written agreement between the apprentice and the Sponsor setting forth the responsibilities and obligations of all parties to the Apprenticeship Agreement with respect to the Apprentice’s employment and training in the Program.

After an applicant for apprenticeship has been selected, but before employment as an apprentice or enrollment in related instruction, the apprentice will be covered by a written Agreement signed by the Sponsor and the apprentice. Such agreement will contain a statement making the terms and conditions of the program a part of the agreement as though expressly written therein. A copy of each Agreement will be



furnished to the apprentice, the Sponsor, NIMS, and the employer. Prior to signing the Agreement, each selected applicant will be given an opportunity to read and review the Program requirements, the Sponsor's written rules and policies and the Agreement.

## Evaluation

1. Applicants must provide a copy of the Apprenticeship Agreement which includes all requirements identified above.

## Paid Work

A key aspect of any apprenticeship program is the paid work component. Sponsors must make clear to apprentices what wages they will be paid and under what circumstances wages will increase. They must describe the wages to be paid during the apprenticeship and under what circumstances those wages will increase. Additionally, Sponsors must also address how they will provide participants the opportunity to gain upward mobility in the industry.

To earn recognition all programs must meet the minimum requirements established by DOL, specifically:

- Apprentices must be paid at least the applicable minimum wage (according to Federal, State and local requirements) as part of their employment.
- There must be defined circumstances under which the wages of apprentices will be increased (or explain that they will not increase during the apprenticeship).
- Apprentices must be provided, in writing, of their wages and any circumstances regarding increases in those wages during their apprenticeship.
- Provide evidence that any charging of costs or expenses to apprentices complies with all applicable Federal, State or local wage law and regulations, including but not limited to the Fair Labor Standards Act (FLSA) and its regulations.

## Evaluation

1. Applicants must submit wage information for their program with their application including starting and ending wages of apprentices and any progression schedules, if applicable.
2. Applicants must complete the certifications affidavit which includes FLSA and minimum wage compliance agreements.

## OJT and Work Experience

Apprentices must receive such OJT in all phases of the program necessary to develop the skill and proficiency to perform the role. Sponsors must have documented and



structured work experiences for their apprentices that include structured mentorship opportunities throughout the program. These must include ongoing, focused supervision and training by experienced instructors and employees.

The OJT plan must include the evaluation methods and criteria for apprentices as they progress through the program. Methods may include formative and summative performance measures and/or written theory exams. Industry-recognized credentials and/or assessments that are part of approved curriculum are preferred, but applicants may provide their own assessments. These proprietary assessments may be subject to additional review.

### **Evaluation**

1. Applicants must provide their written structured OJT plan as part of their application.
2. Applicants must provide their training schedule for apprentices.
3. Applicants must provide their evaluation criteria for knowing when an apprentice can advance to the next step in their training and when they will be considered a completer.
4. Applicants must show evidence of the qualifications of the employees responsible for mentoring and training apprentices.

### **Related Instruction**

To be qualified, the related instruction must provide training in the knowledge and theory areas associated with the industry-recognized credentials imbedded in the program and support OJT performance requirements.

NIMS strongly encourages Sponsors to select instruction that results in college credit either through direct training at the college or through articulation agreements with industry-recognized credentialing bodies or the Sponsor. This will increase the likelihood of determination that the IRAP meets the criteria of high-quality.

NIMS has partnered with several national organizations which provide instruction and training to support apprenticeships. In addition, NIMS works with over 600 educational organizations nationwide with over 200 of those programs receiving NIMS accreditation. IRAPs may choose from any of these pre-approved partners or may submit their own related instruction for approval. Proprietary instruction may be subject to additional review.

### **Evaluation**

1. Applicants must show evidence that the related instruction aligns to the credentials and duties for the OJT component of the program. This can be shown through accreditation, alignment documentation, or other third-party certification.





2. If new training is being developed, applicant must show alignment to the credentials, assessments and job duties in the program.

## Credentials

### NIMS IRAP Credential

Any individual who completes an apprenticeship under this program will receive a NIMS IRAP credential similar to a journeyman card earned under a registered program.

### Other Industry-Recognized Credentials

Industry-recognized credentials are a required component of any IRAP, if available. Applicants must provide in their application the list of credentials apprentices will be eligible to earn.

Allowable credentials include those issued by:

- NIMS
- Other national industry-recognized credentialing bodies (i.e., NCCER, AWS, etc.)
- OEMs and other employer-based credentials that are recognized throughout industry or a region (Siemens, Haas Automation, etc.)
- Educational certifications and degrees that are not certificates of completion or attendance (i.e., third-party issued, associate degrees, etc.)
- Government-recognized certificates (OSHA-10, OSHA-30, etc.)
- Other (subject to review and approval)

### Prior Knowledge and Experience Acknowledgement

As part of the NIMS recognition process, institutions will be reviewed for policies and practices that allow credit for prior learning. These policies and practices, in particular, will be reviewed for apprentices' opportunities to take noncredit instruction and industry-recognized credentials and gain credit experience through a recognized process, such as the American Council on Education (ACE).

The program must have a policy that allows for evaluation and potential credit toward the completion of apprenticeship to new apprentices who demonstrate previous acquisition of skills or knowledge equivalent to the required competencies and corresponding industry credentials that would be attained in the program. Type of proof of previous experience should include credentials, records, affidavits and other documentation to substantiate the claim.

### Evaluation

1. Applicants must provide a list of the industry-recognized credentials that will be earned by their apprentices.

2. Applicants must provide their plan for assessing and qualifying apprentices based on prior knowledge and experience, including previously earned, current and relevant industry-recognized credentials.

## Mentorship

Programs must include mentorship for apprentices. The mentor provides ongoing guidance designed to help apprentices gain the skills required to perform their job and complete the program. Mentors may be supervisors, trainers, HR representatives, or other personnel with sufficient technical and/or training program knowledge to support apprentices throughout their apprenticeship.

The mentor serves as an advocate. The mentor helps apprentices navigate through the program and keep on track to meet required milestones. The mentor works closely with apprentices, trainers and supervisors to ensure smooth operations and to provide feedback for continuous improvement. Such mentorship should support individuals during their work-based learning experiences, and provide guidance on industry or company culture, specific position functions and industry or workplace policies and procedures.

### Evaluation

1. Applicants must provide description of their mentorship program.
2. Applicants must provide resume(s) of mentor(s) showing they have the adequate experience and skills required to mentor apprentices.

## Term of Apprenticeship

NIMS does not require or recommend time-based apprenticeships. However, NIMS does recommend that programs set a maximum time for completion. Apprentices should be allowed to demonstrate competency at their own pace and not an hourly-based system. Apprentice advancement through the program should be evaluated per the methods identified above for OJT and Related Instruction.

The maximum term of the apprenticeship may vary for each occupation or job role. For all occupations and roles, the term of the apprenticeship will be the lesser of the following: 1) when the Apprentice completes all required related instruction and OJT and achieves certification, or 2) the maximum time allowed for the occupation or role as determined by the Sponsor.

A truly competency-based system empowers the apprentice to set their own pace and attain the skills they need when they need them. The key is to create enough opportunity for apprentices to gain the skills and knowledge necessary to satisfy the performance and advancement requirements but to be able to test out of those in which they already have competency.



## Evaluation

1. Applicants must provide the maximum time allowed for each occupation or role in their program.
2. If applicants include a minimum time-based requirement, they must provide justification for not allowing apprentices to progress at their own pace.

## Legal

### Safety

Accident prevention is very largely a matter of education, vigilance and cooperation and that applicants must ensure that apprentices are taught appropriate conduct to ensure their own safety and that of their fellow workers. All programs must ensure that apprentices must receive instruction in safe and healthful work practices both on-the-job and in related instruction that are in compliance with the Occupational Safety and Health Standards promulgated by the Secretary of Labor under 29 U.S.C. 651 et seq., as amended, dated December 29, 1970, and subsequent amendments to that law, or State Standards that have been found to be at least as effective as the Federal Standards.

### Evaluation

1. Applicants must complete the certifications affidavit which includes adherence to minimum OSHA and state safety requirements.
2. Applicants must notify NIMS within 10 business days of any OSHA citations or OSHA reportable incidents or injuries.

### Equal Opportunity & Diversity

Equal employment opportunity is required of every recognized apprenticeship program. Such requirements apply to the recruitment, selection, employment, and training of apprentices throughout their apprenticeship.

### Diversity Plan

A diverse workforce (in age, race, religion, nationality, sexual orientation, and gender) brings diverse viewpoints and perspectives to any company and having these elements can help a company develop great new products and great new ways to cater to its customers. Benefits of diversity include higher revenue, more innovation, better decision making, higher rates of job acceptance, when offers are made to qualified candidates, and better overall performance.

A diverse workforce, however, is just the first step. That's because diversity in the workplace does not necessarily mean inclusivity in the workplace. Yes, making diversity a priority is important; but so is the next logical step: creating a culture where



people from all backgrounds feel included. Inclusivity is the key to actually maintaining (not just creating) diversity in the workplace. NIMS believes that establishing and following through on a commitment to diversity and inclusion can have a big impact. Diversity and inclusion in the workplace cause all employees to feel accepted and valued. When employees feel accepted and valued, they are also happier in their workplace and stay longer with a company. As a result, companies with greater diversity in the workplace have lower turnover rates.

NIMS requires that any organization applying for recognition have a written commitment to not discriminate against anyone involved in their program on the basis of religion, religious belief, refusal to participate in a religious practice, or on the basis of sex, race, age, color, gender or national origin.

Specifically, programs must agree to:

- Not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by Federal, State or local law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the organization.
- Post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- In all solicitations or advertisements for employees placed by or on behalf of the organization, will state that such organization is an equal opportunity employer including all notices, advertisements and solicitations placed in accordance with Federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

If the organization violates one of these provisions, NIMS may suspend or revoke their recognition.

Furthermore, as the SRE, NIMS is also committed to the following:

- Being aware of unconscious bias as we evaluate apprenticeship programs and promotion opportunities at applicant companies.
- Helping to build awareness about the importance of diversity and inclusion in the workplace.
- Communicating the importance of managing bias to program applicants.
- Offering diversity and inclusion training, if needed.
- Encouraging companies to make it easy for people to participate in employee resource groups and free discussion surrounding diversity and inclusion.



- Encouraging mixing up working teams to include people of diverse backgrounds.
- Helping to strengthen anti-discriminatory policies.

### **NIMS EEO Advisors**

To ensure that IRAPs are able to meet EEO and diversity requirements, NIMS will assign an EEO Advisor to each program. The role of the EEO Advisor is to supply advice and resource help to applicants regarding industry diversity and equal employment opportunity best practices. An EEO Advisor may attempt informal resolution of any matters that may arise between any aggrieved persons and IRAP's management prior to the initiation of a formal complaint. They will receive special training in EEO and diversity.

The EEO Advisor will not provide legal advice; organizations are directed to consult with their own attorney or legal advisor in all legal matters.

#### Evaluation

1. Applicants must complete the certifications affidavit which includes adherence to EEO and diversity requirements.
2. Applicants must provide documentation of their EEO and diversity policies.
3. Applicants must notify NIMS within 10 business days of any discrimination or EEOC complaint filed against them.

## **Harassment**

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). It includes unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

NIMS requires recognized programs to have an anti-harassment policy. For purposes of this program, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person in the apprenticeship program. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

### **No Retaliation**

No Retaliation describes provisions toward employees who file reports for harmful, discriminatory or unethical behaviors. Whether or not accusations are true, employers must have policies to prevent victimization and other retaliatory behavior toward the

employee. Employees, including apprentices, should not feel afraid or intimidated to speak up about issues.

Actions that often bring about retaliation include but are not limited to:

- Complaints for workplace harassment or discrimination
- Complaints for company actions that harm the environment or society
- Requests for parental or other leave
- Participation in a pending investigation of misconduct or violations
- Lawsuits for wrongful dismissal or termination for cause

Retaliation is in general defined as any kind of negative action against a current or former employee that takes the form of punishment, and creates a hostile, threatening or uncomfortable environment as a result of their reported complaint.

Retaliation in the workplace may be expressed in a variety of ways. These include but are not limited to:

- Victimization
- Termination or illegal retraction of benefits
- Reduction of compensation
- Poor work performance evaluation
- Exclusion from corporate events or meetings
- Defamation of character (prominent in cases of former employees)

No Retaliation policies include whistleblower protection. No Retaliation policies should apply to all official or unofficial reports. All complaints must be kept confidential and investigations as undisruptive as possible.

## Evaluation

1. Applicants must complete the certifications affidavit which includes adherence to anti-harassment policies.
2. Applicants must complete the certifications affidavit which includes adherence to No Retaliation and Whistleblower protection policies.
3. Applicants must notify NIMS within 10 business days of any harassment claim filed against them.
4. Applicants must document that they provide apprentices with a clear channel of reporting harassment and retaliation including the opportunity to file a complaint directly with NIMS.

## Reporting

The following section outlines the reporting requirements for each IRAP. All information must be provided for each occupation or job role that is recognized. Annual requirements are mandatory, more frequent reporting (i.e., biannually or quarterly) will be determined upon approval of application.

## Annual Reporting Requirements for IRAPs (Per Job Role)

Apprentice and Program Totals		
1	Reporting Period	Date range, October 1 [last year] – September 30 [current year]
2	Total Apprentices Served (current period)	The total apprentices served during the current reporting period.
3	Active Apprentices (previous period)	The total number of apprentices that were active under an apprenticeship agreement at the end of the previous reporting period.
4	New Apprentices (current period)	The total number of apprentices that entered into an apprenticeship agreement during the current reporting period.
5	Active Apprentices (end of current period)	The total number of apprentices that were active under an apprenticeship agreement at the end of the current reporting period.
6	Inactive Apprentices (current period)	The total number of apprentices under an apprenticeship agreement that became inactive at any time during the current reporting period.
7	Completers	The total number of apprentices that successfully completed the IRAP requirements and separated from the apprenticeship program during the current reporting period (subset of inactives #6).
8	Non-Completers	The total number of apprentices who did not complete the IRAP requirements and separated from the IRAP during the current reporting period (subset of inactives #6).
9	Median Length of Time for IRAP Completion (current period)	The midpoint value for the values of all of an IRAP apprentice's time for IRAP completion calculated from time of entry into an apprenticeship agreement until the time the apprentice has successfully completed the IRAP requirements for the current reporting period.
10	Training Cost Per Apprentice (current period)	Training Cost per Apprentice (Total Cost / Total Apprentices)



Credentials Issued		
1	Reporting Period	Date range, October 1 [last year] – September 30 [current year]
2	Number Credentials attained by Completers	The number of credentials attained by completers during the current reporting period.
3	Number of Credentials Attained (totaled by individual credential name/ID)	The number of credentials attained by all apprentices during the current reporting period.

### Annual Post-Completion Reports (Per Job Role)

The table below provides an example of the relationships between the current reporting period, the previous reporting period and the quarters of those respective years to illustrate how those terms are used in the reporting requirements that follow.

#### Sample Reporting Cycle

Oct '18 – Mar '19	Apr '19 – Sep '19	Oct '19 – Mar '20	Apr '20 – Sep '20
Q4 – Q1	Q2 – Q3	Q4 – Q1	Q2 – Q3
Previous Reporting Period		Current Reporting Period	

IRAPs that are recognized in the middle of a cycle should submit data on this schedule, even if there is not a full quarter’s worth of information.

Program Post-Completion Totals (6 months)		
1	Reporting Period	Date range, October 1 [last year] – September 30 [current year]
2	Number of Completers (current period, first 6 months)	Number of completers in Q4 and Q1 of the current reporting period.
3	Number of Completers (previous period, second 6 months)	Number of completers in Q2 and Q3 of the previous reporting period.
4	Number of Completers (current period, second 6 months)	Number of completers in Q2 and Q3 of the current reporting period.



5	Number of Completers (previous period second 6 months and current period first 6 months)	Number of completers in Q2 and Q3 of the previous reporting period and Q4 and Q1 of the current reporting period (sum of #2 and #3).
6	Number of Completers Employed By IRAP Provider (current period)	Number of completers in #5 (6 month post-completers) employed with their IRAP provider 6 months after apprenticeship completion during the current reporting period.
7	Average Earnings	The total earnings of all completers from Q2 and Q3 of the previous reporting period and Q4 and Q1 of the current reporting period divided by the total number of completers from the referenced two reporting periods (average earnings of all completers in #5).

Program Post-Completion Totals (12 months)		
1	Reporting Period	Date range, October 1 [last year] – September 30 [current year]
2	Number of Completers (previous period)	Number of completers of the previous reporting period.
3	Number of Completers Employed (current period)	Number of completers in #2 (12 month completers) employed 12 months after apprenticeship completion during the current reporting period.

## Evaluation

1. Applicants must agree to report the above information in the schedule outlined to ensure that NIMS is able to provide timely reports to DOL.

## Reporting Program Changes

Minor modifications to IRAPs should be reported annually with submission of annual maintenance fee. These types of modifications include extension of maximum time to complete; minor training schedule changes; increasing opportunities for apprentices to receive training at their own pace; changes of wages of less than 20%; etc.

Significant changes must be reported at least 10 business days before implementation. These types of modifications include adding or removing credential or degree attainment opportunities; changing curriculum or training providers; adding, removing or changing more than 20% of related instruction or OJT; reduction



in training opportunities for apprentices; changes to financial obligations of apprentices; changes of wages by more than 20%; etc.

Failure to report changes in a timely manner or changes that impact the quality of the apprenticeship may result in suspension or revocation of program recognition.



# Fee Structure

Fee	Description/Frequency	Cost
Needs Analysis	One-time fee, includes review and approval for one occupation or job role	\$3,500.00
Additional Roles	One-time fee for each additional occupation or job role within the same program structure	\$500.00
Annual Maintenance/Reporting	Annual fee	\$500.00

# Application & Approval Process

## Application

1. Review Program Requirements in this document.
2. Download and fill out the application: <https://www.nims-skills.org/irap-approval-process>.
3. Assemble required documentation.
4. Submit signed application, supporting documentation and signed certifications affidavit to [apprenticeship@nims-skills.org](mailto:apprenticeship@nims-skills.org). If additional information or documentation is required NIMS will notify the point of contact designated on the application.
5. NIMS will review application for completeness. If the application is complete and includes all required supporting documentation, it will be assigned to an account representative and EEO Advisor.
6. The account representative will serve as the liaison between SMEs and the applicant throughout the application process, and the EEO Advisor will provide input regarding equal employment opportunity and diversity.

## Approval

NIMS will review an applicant's application within 30 days. Next steps feedback will be provided. The NIMS review will result in one of the following decisions:

- Request for additional information or clarification
- A decision to approve the application
- A decision that the program does not meet the policies and requirements of a NIMS apprenticeship program

NIMS will inform DOL within 30 days of its recognition, suspension or derecognition of an IRAP.

## Official Recognition

This requires the applicant to meet all of the DOL and legal requirements for apprenticeship and the minimum NIMS requirements for structured OJT.

NIMS will notify DOL within 30 days of the recognition of a new IRAP.

## Denial

This occurs when a program fails to meet all of the DOL and legal requirements for apprenticeship and the minimum NIMS requirements for structured OJT. In this case



NIMS will issue a report to the applicant program to note any areas of question or recommended improvements.

A program receiving denial of recognition will be granted a 90-day period to address the reported issues and file a report to NIMS documenting the corrective actions and resulting changes. If NIMS determines that corrective actions properly address cited concerns, recognition will then be awarded. If the program still does not meet the requirements, the application will be permanently denied, and the organization must submit a new application with application fee in order to be considered.

Programs may appeal if NIMS decides not to award program recognition. See below for appeals process.

## Maintenance & Renewal

Program recognition will be valid for five years from the approval date. Programs must provide regular reports per the schedule identified in their approval notification.

### Program Maintenance

NIMS requires organizations to provide regular reporting on the status of their programs. Each quarter, NIMS will utilize a brief and streamlined reporting process where NIMS IRAP validated programs will provide a status update, including number of current apprentices served and report on any program elements that need to be modified or updated. All programs must complete a post-evaluation survey annually by the date of their recognition anniversary.

### Lapsed Programs

Once awarded, NIMS recognition is valid for five years. At the end of the five-year period, a program may voluntarily elect to renew their recognize status. Once the initial five-year recognition has expired, any training program that allows its recognition to lapse for more than 90 days will be required to follow the procedures and pay fees for initial recognition, and meet any additional requirements required for renewal.

NIMS will notify DOL within 30 days of any lapsed program.

## Suspension or Revocation

NIMS will consider suspending and/or revoking recognition of a program when complaints are received, in writing, alleging malpractice or misrepresentation involving the misuse of NIMS recognition by the program or violation of applicable Federal, State or local laws.



A Reviewer will be assigned to review the allegation to determine if the complaint has substance or should be dismissed. The Reviewer will inform the program of the complaint and finding. If the Reviewer determines that the complaint has substance, the Reviewer will arrange for a hearing before a NIMS Review Panel. If the program against which a complaint has been filed elects to decline the hearing, the Review Panel can find that recognition should be revoked. In either case, the decision of the Review Panel will be final.

The Review Panel members will have three members, two from industry and one from education.

NIMS will notify DOL within 30 days of any program that is suspended or revoked.

## Appeals and Complaints

All appeals and complaints must be submitted through the NIMS website at: <https://www.nims-skills.org/irap-appeals-and-complaints>.

### IRAPs

Programs may appeal if NIMS decides not to award program recognition or to suspend or revoke recognition. Programs may also file a complaint regarding the implementation of NIMS procedures.

Such appeals and complaints must be submitted in writing to NIMS who will assign the appeal to an independent Reviewer from the Advisory Council. The Reviewer will consider the written statement, examine NIMS policies and procedures, interview the parties involved, and submit a finding to NIMS and the complainant. Findings and recommendations of the Reviewer are final and will be acted upon accordingly.

### Individuals

Apprentices, prospective apprentices or an apprentice's authorized representative may also file a complaint about the IRAP program.

If an applicant or an apprentice believes an issue exists that adversely affects his/her participation in the program or violates the provisions of the Apprenticeship Agreement or program, a complaint may be brought through the following avenue. The complaint may be resolved at any of the following levels without progressing further.

1. Informal complaint to the Mentor
2. Informal complaint to Supervisor or Sponsor representative.
3. Formal complaint to NIMS as the SRE. If a formal complaint is made, the complaint will be kept with the apprentice's files.



Such formal complaints must be submitted in writing to NIMS who will assign the appeal to an independent Reviewer from the Advisory Council. The Reviewer will consider the written statement, examine NIMS policies and procedures, interview the parties involved, and submit a finding to NIMS and the complainant. Findings and recommendations of the Reviewer are final and will be acted upon accordingly.

NIMS will inform DOL of aggregate complaints per program.

## Confidentiality of Complaints

Complaints alleging violations of NIMS or DOL policies, procedures or requirements for IRAP may be submitted in writing to NIMS by any interested party, or may be self-initiated by NIMS or DOL. The complainant's identity shall remain confidential, unless the circumstances reasonably require disclosure, or the complainant waives confidentiality protection. The complainant will be asked to agree to keep confidential the complaint filing and all other correspondence or communications with NIMS related to the investigation as well as the review of the complaint and its outcome. NIMS reserves the right to terminate its investigation if confidentiality is breached.

# Definitions and Terms

**APPRENTICE:** Any individual who participates in the OJT system.

**APPRENTICESHIP AGREEMENT:** The written agreement between the Apprentice and the Sponsor setting forth the responsibilities and obligations of all parties with respect to the Apprentice's employment and training under the program.

**COMPETENCY-BASED:** Means the attainment of manual, mechanical or technical skills and knowledge, as specified by a standard and demonstrated by an appropriate written and hands-on proficiency measurement.

**CREDENTIAL:** A document or certificate proving a person's identity or qualifications, may include industry certificates, certificates and diplomas offered by participating schools and other such documentation relevant to the program.

**EMPLOYER:** Any business employing an Apprentice(s) under this apprenticeship and training standard. May also be a Sponsor.

**MENTOR:** A person designated to be an advocate for the apprentice(s), monitoring development and progress throughout the program. Mentors also advocate for the program and identify opportunities for continuous improvement.

**ON-THE-JOB TRAINING (OJT):** Tasks learned on-the-job in which the trainee must become proficient before a certification is awarded. The learning must be through structured, supervised work experience.

**RELATED INSTRUCTION:** An organized and systematic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the occupation. Instruction may be classroom or online.

**TRAINER:** An individual who has documented sufficient skill and knowledge of an occupation either through formal Apprentice or through practical on-the-job experience, and formal training. This individual is recognized as being fully qualified to perform the work of the occupation.





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**FOR MORE INFORMATION**

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If you have any questions about these requirements or to request an application, please contact us:

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Phone: (703) 352-4971 | [apprenticeship@nims-skills.org](mailto:apprenticeship@nims-skills.org)