

WE ARE YOUR DOL



**Department
of Labor**

**Apprenticeship & Training Council Meeting
December 17, 2024**

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USDOL Apprenticeship Update

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NYSDOL Office of Special Initiatives Update

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**Department
of Labor**

**Apprenticeship & Training Council Meeting
December 17, 2024**

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Registered Apprenticeship and Public Work

WE ARE YOUR DOL



**Department
of Labor**

**ENFORCEMENT OF APPRENTICE
PREVAILING WAGE RATES**

**SHAUN McCREADY
DIRECTOR**

BUREAU OF PUBLIC WORK & PREVAILING WAGE ENFORCEMENT

NYS PREVAILING WAGE RATES

The prevailing wage rate is the rate paid in the locality by virtue of collective bargaining agreements (CBAs) between labor organizations and private employers, performing public or private work, provided that the employers employ at least 30 percent of workers, laborers, or mechanics in the same trade or occupation in the locality where the work is being performed.

The rate is set annually by the Commissioner of Labor and NYC Comptroller (for NYC) and takes effect July 1st of each year.

NYS PREVAILING WAGE RATES

The rate is set annually by the Commissioner of Labor and NYC Comptroller (for NYC) and takes effect July 1st of each year.

WAGES FOR A LEGAL DAY'S WORK

NYS LL § 220.3(a)

“Serving laborers, helpers, assistants, and apprentices shall not be classified as common labor and shall be paid not less than the prevailing rate of wages as hereinafter defined.”

“No employee shall be deemed to be an apprentice unless he is individually registered in an apprenticeship program which is duly registered with the commissioner of labor...”

WHEN CAN APPRENTICES APPRENTICE?

NYS LL § 220.3-e

“Apprentices will be permitted to work as such only when they are registered, individually, under a bona fide program registered with the NYS Department of Labor.”

“The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than the ratio permitted to the contractor as to his work force on any job under the registered program.”

NON-REGISTERED APPRENTICES

NYS LL § 220.3-e

“Any employee listed on a payroll at an apprentice wage rate, who is not registered as above, shall be paid the wage rate determined by the NYS Department of Labor for the classification of work he actually performed.”

“The contractor or subcontractor will be required to furnish written evidence of the registration of his program and apprentices as well as of the appropriate ratios and wage rates, for the area of construction prior to using any apprentices on the contract work.”

SAMPLE PAGE

NYS Prevailing Wage Schedule

Laborer - Building **07/01/2024**

JOB DESCRIPTION Laborer - Building **DISTRICT 1**

ENTIRE COUNTIES

Albany, Rensselaer, Washington

PARTIAL COUNTIES

Columbia: Only the Townships of Stuyvesant, Stockport, Kinderhook, New Lebanon, Canaan, Ghent, Chatham and Austerlitz.

Greene: Entire county except the Township of Catskill

Saratoga: Only the Townships of Halfmoon, Saratoga, Stillwater, Waterford, and the City of Mechanicville.

WAGES

Per hour 07/01/2024

Group #1:
 All Classifications
 except as noted in
 Groups 2 & 3 \$ 36.16

Group #2:
 Blaster, Drilling Equipment
 Only Where a Separate Air
 Compressor Unit Supplies
 Power, Metal Formsetter
 sidewalk), Well Pointing
 & Laser Operator \$ 36.66

Group #3:
 Handling of Asbestos
 or Toxic Materials \$ 37.51

SUPPLEMENTAL BENEFITS

Per hour

 Journeyworker \$ 26.42

OVERTIME PAY

See (B, E, E2, Q) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6) on HOLIDAY PAGE

REGISTERED APPRENTICES

Wages per hour
 1000 Hour terms at the following percentage of Journeyman's basic hourly wage.

1st	2nd	3rd	4th
65 %	70 %	80 %	80 %

Supplemental Benefits per hour worked

Apprentices \$ 26.42

CONDENSED VERSION OF PREVIOUS PAGE

Prevailing Wage Rates for 07/01/2024 - 06/30/2025
 Last Published on Jul 01 2024

Published by the New York State Department of Labor
 Albany County

Laborer - Building

07/01/2024

JOB DESCRIPTION Laborer - Building

DISTRICT 1

ENTIRE COUNTIES

Albany, Rensselaer, Washington

Group #1:	\$ 36.16
Group #2:	\$ 36.66
Group #3:	\$ 37.51

x 65% = \$23.50 /hr in wages plus \$26.42 /hr in supplemental benefits for 1st year apprentice performing Group 1 Laborer Work

SUPPLEMENTAL BENEFITS

Per hour

Journeyworker \$ 26.42

REGISTERED APPRENTICES

Wages per hour

1000 Hour terms at the following percentage of Journeyman's basic hourly wage.

1st	2nd	3rd	4th
65 %	70 %	80 %	80 %

Supplemental Benefits per hour worked

Apprentices \$ 26.42

REGISTERED APPRENTICES

Wages per hour

ONE YEAR TERMS AT THE FOLLOWING WAGE RATES:

07/01/2024

1st year	\$ 23.50
2nd year	25.50
3rd year	27.50
4th year	29.50

Supplemental Benefits per hour worked

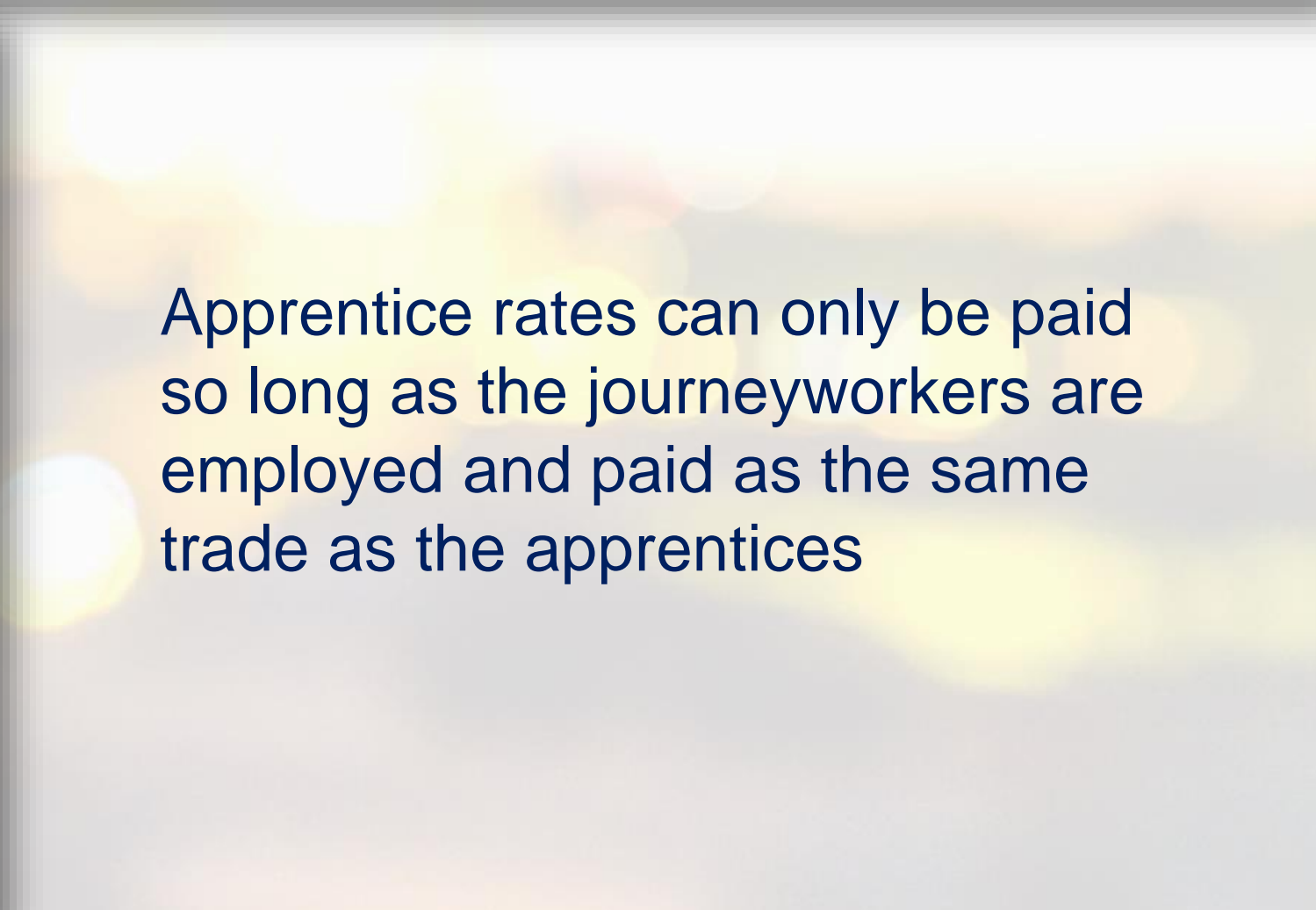
1st year	\$ 10.78
2nd year	22.87
3rd year	24.58
4th year	24.88

Apprentice Training Ratios

The following are the allowable ratios of registered Apprentices to Journey-workers.

For example, the ratio 1:1,1:3 indicates the allowable initial ratio is one Apprentice to one Journeyworker. The Journeyworker must be in place on the project before an Apprentice is allowed. Then three additional Journeyworkers are needed before a second Apprentice is allowed. The last ratio repeats indefinitely. Therefore, three more Journeyworkers must be present before a third Apprentice can be hired, and so on.

Title (Trade)	Ratio
Boilermaker (Construction)	1:1,1:4
Boilermaker (Shop)	1:1,1:3
Carpenter (Bldg.,H&H, Pile Driver/Dockbuilder)	1:1,1:4
Carpenter (Residential)	1:1,1:3
Electrical (Outside) Lineman	1:1,1:2
Electrician (Inside)	1:1,1:3
Elevator/Escalator Construction & Modernizer	1:1,1:2
Glazier	1:1,1:3
Insulation & Asbestos Worker	1:1,1:3
Iron Worker	1:1,1:4
Laborer	1:1,1:3
Mason	1:1,1:4
Millwright	1:1,1:4
Op Engineer	1:1,1:5
Painter	1:1,1:3
Plumber & Steamfitter	1:1,1:3
Roofer	1:1,1:2
Sheet Metal Worker	1:1,1:3
Sprinkler Fitter	1:1,1:2



EXAMPLE

One painter paid at journeyworker rate lets you pay one painter as an apprentice

Four painters paid at journeyworker rate lets you pay two painters as apprentices

Seven painters paid at journeyworker rate lets you pay three painters as an apprentice

Ratio	Title (Trade)
1:1,1:4	Boilermaker (Construction)
1:1,1:3	Boilermaker (Shop)
1:1,1:4	Carpenter (Bldg.,H&H, Pile Driver/Dockbuilder)
1:1,1:3	Carpenter (Residential)
1:1,1:2	Electrical (Outside) Lineman
1:1,1:3	Electrician (Inside)
1:1,1:2	Elevator/Escalator Construction & Modernizer
1:1,1:3	Glazier
1:1,1:3	Insulation & Asbestos Worker
1:1,1:4	Iron Worker
1:1,1:3	Laborer
1:1,1:4	Mason
1:1,1:4	Millwright
1:1,1:5	Op Engineer
1:1,1:3	Painter
1:1,1:3	Plumber & Steamfitter
1:1,1:2	Roofer
1:1,1:3	Sheet Metal Worker
1:1,1:2	Sprinkler Fitter

SECTIONS

Overview

Trade List

Changes of Approach

Trades Pending Approval

Trade Reactivations Pending Approval

Trade Updates

How To Submit Comments

Contact

Changes of Approach

Trades Pending Approval

Trade Reactivations Pending Approval

Trade Updates

How To Submit Comments

Contact

Trade List

<https://dol.ny.gov/apprenticeship/apprenticeship-trades>

Search:

Apprenticeship Trades

Trade Title	Term (In Months)	Ratio*	Outlines
Aircraft Refinishing Paint Technician	Hybrid	1:1; 1:1	Outline
Airframe & Powerplant Mechanic	Hybrid	1:1; 1:1	Outline
Alcoholism & Substance Abuse Counselor Aide	12	1:1; 1:1	Outline
Art Operations Associate	12	1:1; 1:1	Outline
Auto Body Repairer & Painter	48	1:1; 1:1	Outline
Automobile Mechanic	36	1:1; 1:1	
Automotive Service Technician	48	1:1; 1:1	Outline
Baker, Retail	36	1:1; 1:1	
Behavior Technician	12	1:1; 1:1	Outline
Bench Jeweler (Production)	27	1:1; 1:1	Outline
Biological Technician	24	1:1; 1:1	Outline
Boilermaker (Construction)	48	1:1; 1:1	Outline
Brewer/Distiller	20	1:1; 1:1	Outline
Bricklayer, Mason	27-36	1:1; 1:4	Outline
Bricklayer Mason & Plasterer	48	1:1; 1:4	Outline
Building Maintenance Mechanic	24	1:1; 1:1	Outline
Business Operations Associate	Competency	1:1; 1:1	Outline
Cabinetmaker	32-48	1:1; 1:3	Outline
Calibration Technician (Electrical/Electronic)	48	1:1; 1:1	Outline
Carpenter	32-48	1:1; 1:4	Outline
Carpenter	Hybrid	1:1; 1:4	Outline
Carpenter (Heavy/Highway)	36	1:1; 1:4	Outline
Carpenter (Pile Driver/Dockbuilder)	32-48	1:1; 1:4	Outline
Carpenter (Residential)	32	1:1; 1:3	Outline
Cement Finisher or Cement Mason	27-36	1:1; 1:4	Outline

Previous 1 2 3 4 5 ... 10 Next

*Ratios are established to ensure the proper safety, training and supervision of apprentices. A ratio establishes the number of journeyworkers required for each apprentice in a program and on a job site. Ratios are interpreted as follows: in the case of a 1:1, 1:4, there must be one journeyworker for the first apprentice, and four additional journeyworkers for each subsequent apprentice.

In New York, ratios are set statewide

Some CBAs continue to list alternate ratios

They are not valid and will not be used for a wage audit

The only time an alternate apprentice ratio may be used is with a Project Labor Agreement (PLA)

QUESTION

What if multiple trades claim the ability to do the same work and that it's part of the training for their apprentices?

ANSWER

The only apprentice rate that may be paid is the one for whichever journeyworker rate is enforced by BPWE for the work in question

This can be altered on a PLA project

QUESTION

How does the DOL determine rates?

ANSWER

The Bureau of Public Work & Prevailing Wage Enforcement looks at all factors applying to a particular task, including:

*Nature of the work
Collective bargaining agreements
Jurisdictional agreements
Jurisdictional decisions
Historical practice
Past DOL recognition
Case law precedents*

**International Union of Painters & Allied Trades, Dist. Council No. 4 v New York State
Dept. of Labor, 32 N.Y.3d 198**

Court of Appeals of New York

September 12, 2018, Argued ; October 18, 2018, Decided

No. 101

Reporter

32 N.Y.3d 198 * | [112 N.E.3d 1259 **](#) | [88 N.Y.S.3d 136 ***](#) | [2018 N.Y. LEXIS 2968 ****](#) | [2018 NY Slip Op 06963](#) | 169 Lab. Cas. (CCH)

P61,908 | 2018 WL 5046098

[*202] Here, the Court, once again, finds itself in the thicket of interpreting New [\[***138\]](#) [\[**1261\]](#) York's constitutional prevailing wage requirement. We uphold the statute-based policy of the New York State Department of Labor limiting the payment of apprentice wages on public work projects to apprentices who are performing tasks that are within the respective trade classifications of the approved apprenticeship programs in which they are enrolled. The text of the statute is ambiguous and is best analyzed with reference to the underlying operational practices. Our analysis is governed by the deferential standard applicable to an agency's interpretation of a statute it is charged with enforcing. We hold that the Department's interpretation is rational and should be upheld.

**International Union of Painters & Allied Trades, Dist. Council No. 4 v New York State
Dept. of Labor, 32 N.Y.3d 198**

Court of Appeals of New York

September 12, 2018, Argued ; October 18, 2018, Decided

No. 101

Reporter

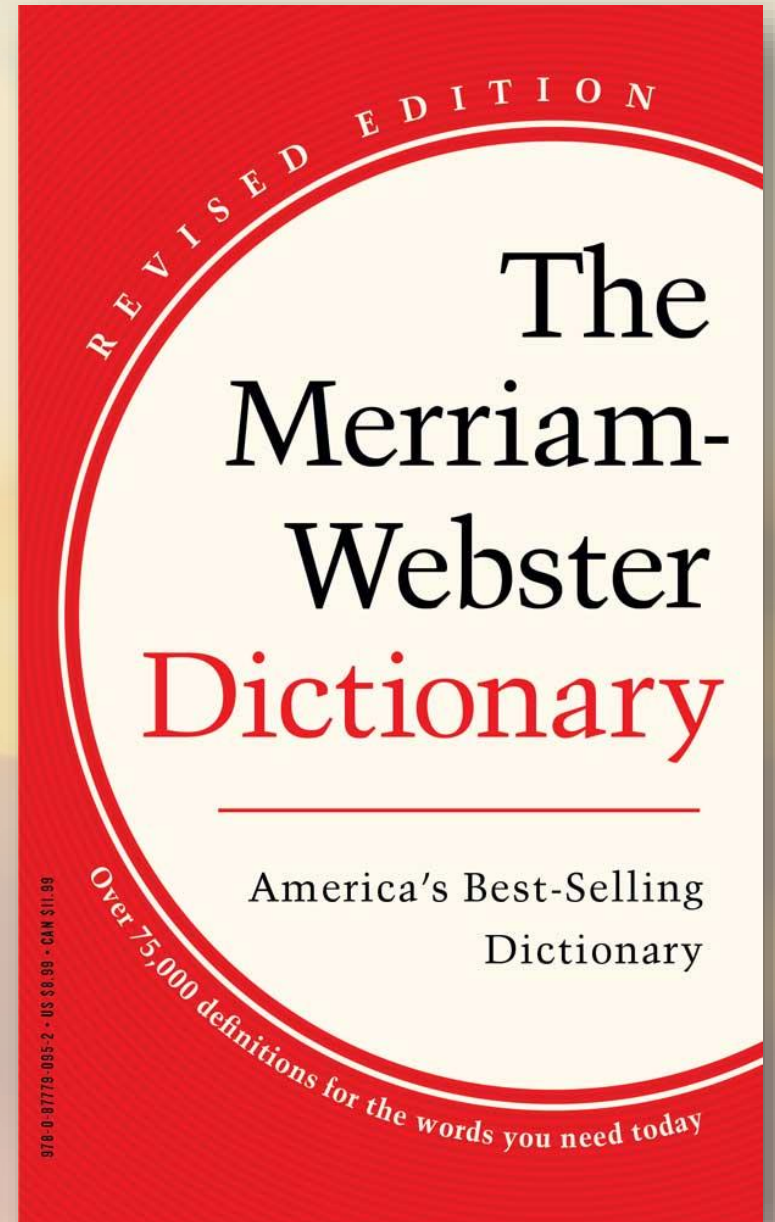
32 N.Y.3d 198 * | [112 N.E.3d 1259 **](#) | [88 N.Y.S.3d 136 ***](#) | [2018 N.Y. LEXIS 2968 ****](#) | [2018 NY Slip Op 06963](#) | 169 Lab. Cas. (CCH)

P61,908 | 2018 WL 5046098

In other words, the DOL interprets [Labor Law § 220 \(3-e\)](#) to mean that apprentices employed on public work projects may be paid apprentice rates only if they are performing [\[****5\]](#) tasks within the trade classification (e.g., "glazier," "ironworker") that is the subject of the apprenticeship program in which they are enrolled. Apprentices who are performing tasks, in the installation of storefronts, curtain wall, and preglazed windows, that are classified as ironwork tasks may be paid the apprentice rate only if they are enrolled in an ironworker apprentice program [\[3\]](#) (approved by the DOL), as opposed to a glazier apprentice program. Apprentices learning any trade other than ironwork, including those enrolled in a glazier apprenticeship program, must be paid journey-level ironworker prevailing wages and benefit rates if they are engaged in the parts of a work process that are classified as ironwork tasks.

QUESTION

What is a helper?





Dictionary

Thesaurus

helper



Games & Quizzes

Word of the Day

Dictionary

Definition

Synonyms

Example Sentences

Word History

Phrases Containing

helper noun

help·er 'hel-pər

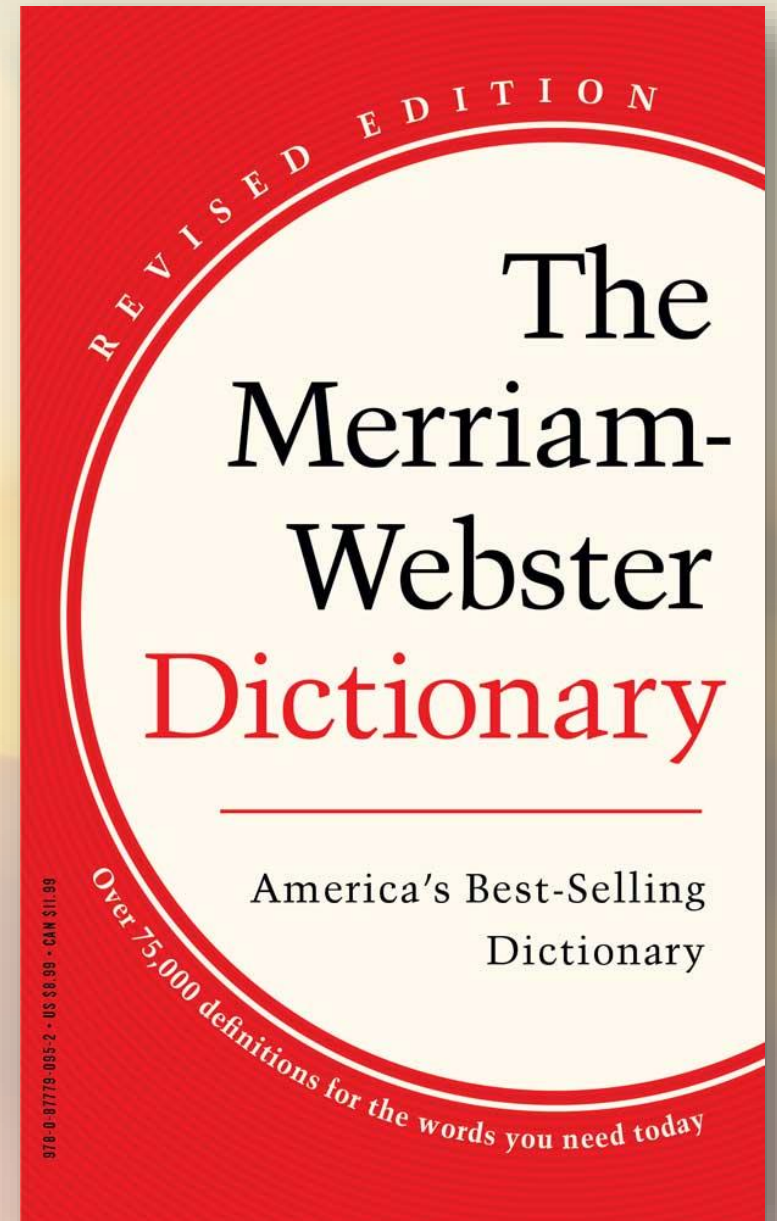
[Synonyms of helper >](#)

: one that [helps](#)

especially : a relatively unskilled worker who assists a skilled worker usually by manual labor

QUESTION

What are helper rates?





Dictionary

Thesaurus

imaginary



Games &

Dictionary

Definition

Synonyms

Synonym Chooser

Example Sentences

Word History

Phrases Containing

imaginary adjective

imag·i·nary (i-'ma-jə-,ner-ē) - ,ne-rē

[Synonyms of *imaginary*](#) >

- a** : existing only in [imagination](#) : lacking factual reality
- b** : formed or characterized [imaginatively](#) or arbitrarily
his canvases, chiefly *imaginary*, somber landscapes
— *Current Biography*

QUESTION

What are pre-apprentices?

ANSWER

Not registered apprentices

QUESTION

Can pre-apprentices be paid apprentice rates?

ANSWER

No

REGISTERED APPRENTICESHIPS

	Internship	Pre-Apprenticeship	Direct-Entry Program	Informal Apprenticeship	Registered Apprenticeship
Description	A work experience tied to a student's area of study or career interests	Designed to prepare individuals for entry into Registered Apprenticeship Programs or other job opportunities	A type of pre-apprenticeship program used often as a way to reach underrepresented populations and to meet a company's EEO goals.	Informal or unregistered apprenticeship programs include on-the-job training experience to learn a trade.	Learning a skilled trade through on-the-job training (hands-on experience) plus related outside academic instruction.
Length of Time	Varies	Varies from one week to 6 months	Varies from several weeks up to 6 months	Varies from 6 months to several years	1-5 years
Pay	Paid or Unpaid	Paid or Unpaid	Paid or Unpaid	Paid	Paid with built-in wage increases
Minimum Participant Age	Depends on industry	Depends on industry	Depends on industry	Depends on industry	16
Nationally recognized credential received upon completion?	Generally, none	Varies	Varies	None	Nationally recognized certificate
Instruction is standardized	Generally, no	No	Yes	No	Yes
Program is regulated	Varies	Varies	No	No	Yes
Is funding available to support this program?	For some programs	Yes	Yes	No	Yes
Is there a cost to the participant?	No	No	No	No	Generally, no
Who can operate the program?	Employers and CBOs	Employers and CBOs	Must be approved by NYSDOL	Any employer	Must be approved by NYSDOL
Curriculum is standardized	No	Not across all programs	No	No	Yes
Can training be counted as prior credit and experience as part of a Registered Apprenticeship program?	Varies	Yes	Yes	Varies	--

The only group eligible to be paid prevailing wage apprentice rates

QUESTION

When is an apprentice registered?

FORM

Must be received within 30 days of requested start date

ANSWER

When the original Apprentice Agreement form is received by NYSDOL, entered into the database, and signed by a NYSDOL representative

THIS IS STATUTORY

Apprentices must be registered in accordance with Article 23 of NYS Labor Law

QUESTION

Can apprentices work for and be paid by anyone?

ANSWER

No

If a properly registered apprentice is performing work for a contractor who is not a sponsor or registered signatory of a sponsor's properly registered apprenticeship program, then that contractor cannot provide proper journeyworker supervision for apprentices.

QUESTION

How do we know if a program or apprentice is registered?



ANSWER

Contact DOL Apprenticeship

LIST OF ACTIVE SPONSORS

Sponsor Name	Address	Regional Economic Development Council (REDC)	Trade	Approval Date	Status
1199SEIU League Training and Upgrading Fund (TUF)	498 Seventh Ave, 5th floor New York, NY 10018	New York City	Community Health Worker	2018/06/26	Active
1199SEIU League Training and Upgrading Fund (TUF)	498 Seventh Ave, 5th floor New York, NY 10018	New York City	Certified Nursing Assistant (CNA)	2024/04/05	Probation
A and S Electric, Inc.	952 Flushing Avenue, Suite #3, Brooklyn, NY 11206	New York City	Electrician	1994/08/29	Active
A.C. Spear Electric, Inc.	1869 Pierce Creek Road, Binghamton, NY 13903	Southern Tier	Electrician	2005/11/21	Active
A.M.R. Electrical Contracting Corp.	315 Jackson Ave, Bronx, NY 10454	New York City	Electrician	2012/06/26	Active
Ace Contracting, Inc	1990 Coney Island Avenue, Brooklyn, NY 11223	New York City	Plumber	2008/10/15	Active
ACS System Associates, Inc.	101 New South Road, Hicksville, NY 11801	Long Island	Sheet Metal Worker	2023/05/02	Probation
ACS System Associates, Inc.	101 New South Road, Hicksville, NY 11801	Long Island	Steamfitter	1999/04/12	Active
Addison Precision Manufacturing Corp	100 Gates Greece Townline Road, Rochester, NY 14606	Finger Lakes	Manufacturing Engineering Technician	2021/10/29	Active
Advanced Tool, Inc.	9169 River Rd, Marcy, NY 13403	Mohawk Valley	CNC Tool And Cutter Grinder	2019/01/29	Active
Advantech Industries Inc.	3850 Buffalo Road, Rochester, NY 14624	Finger Lakes	Machinist (CNC)	2012/08/10	Inactive
Advan-Tech Manufacturing, Inc.	3645 California Road, Orchard Park, NY 14127	Western New York	Machinist	2001/08/27	Active
AE Rosen Electrical Co., Inc.	178 Catherine Street, Albany, NY 12202	Capital	Electrician	2012/05/18	Active
Akwesasne Mohawk Casino Resort	873 State Rte 37, Hogansburg, NY 13655	North Country	Heating, Ventilation and Air Conditioning Mechanic	2013/04/26	Active
Akwesasne Mohawk Casino Resort	873 State Rte 37, Hogansburg, NY 13655	North Country	Housekeeper (Commercial, Residential, Industrial)	2019/08/07	Active
Akwesasne Mohawk Casino Resort	873 State Rte 37, Hogansburg, NY 13655	North Country	Cook (Chef)	2019/01/15	Inactive
Alcoa USA Corp	1814 State Highway 131, Massena, NY 13662	North Country	Plant Maintenance-Electrician	2017/04/10	Active
Alcoa USA Corp	1814 State Highway 131, Massena, NY 13662	North Country	Plant Maintenance-Mechanic	2017/04/10	Active
Aleut Electric LLC	691 Hotchkiss Road, Greene, NY 13778	Southern Tier	Electrician	2018/07/30	Active
Alkegen	360 Fire Tower Dr, Tonawanda, NY 14150	Western New York	Plant Maintenance-Electrician-Mech	2021/04/22	Active
All-City Metal, Inc.	956 Brush Hollow Road, Westbury, NY 11590	Long Island	Sheet Metal Worker	2000/08/28	Active
All-Ways Elevator, Inc	5 Davids Drive, Hauppauge, NY 11788	Long Island	Elevator Servicer and Repairer	2019/12/18	Active
Amada Tool America, Inc.	4A Treadeasy Avenue, Batavia, NY 14020	Finger Lakes	Machinist (CNC)	2013/08/07	Active
Amherst Paving, Inc.	330 Meyer Road, Amherst, NY 14226	Western New York	Skilled Construction Craft Laborer	2017/08/17	Active
Amphenol Aerospace	191 Delaware Avenue, Sidney, NY 13838	Southern Tier	Machinist (CNC)	2023/08/24	Probation

QUESTION

Can an apprentice be retroactively paid the lower rate?

ANSWER

No

If a worker performs labor prior to an apprenticeship registration being approved, they must be paid timely in accordance with NYS payroll laws

If the registration is subsequently approved with a starting date that predates the work already compensated for, the journeyworker wages cannot be clawed back by the employer



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THANK YOU!

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**Apprenticeship & Training Council Meeting
December 17, 2024**

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NYSDOL Apprenticeship Update

AGENDA

Director's Report

- National Apprenticeship Week/NYS Apprenticeship Month
- ESATC Program <https://dol.ny.gov/apprenticeship/options-apprenticeship-program-sponsors>
- Modernization Project – email ATCO@labor.ny.gov with subject line: “Modernization Project”
- Staffing
- Data

Trades

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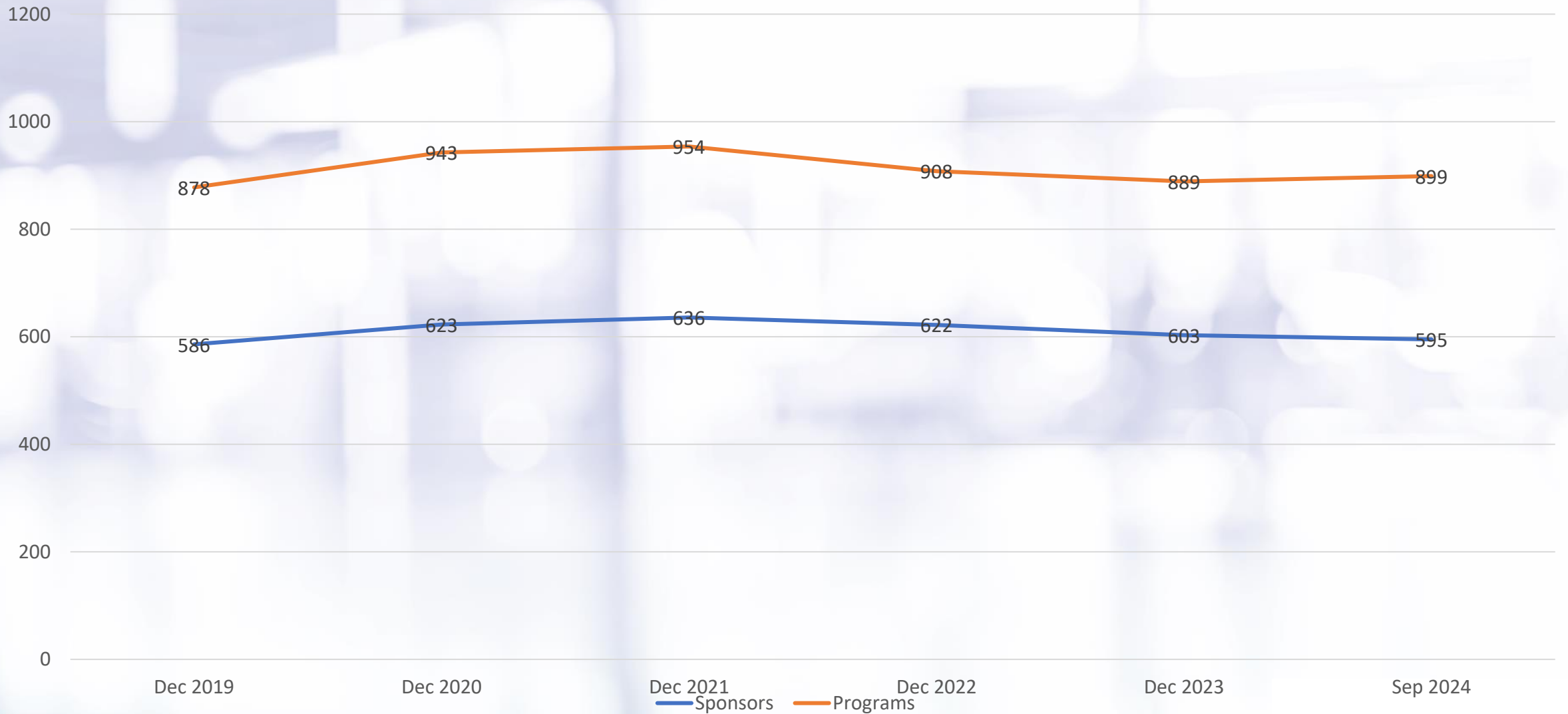
Apprenticeship Data

2024 Year to Date Data

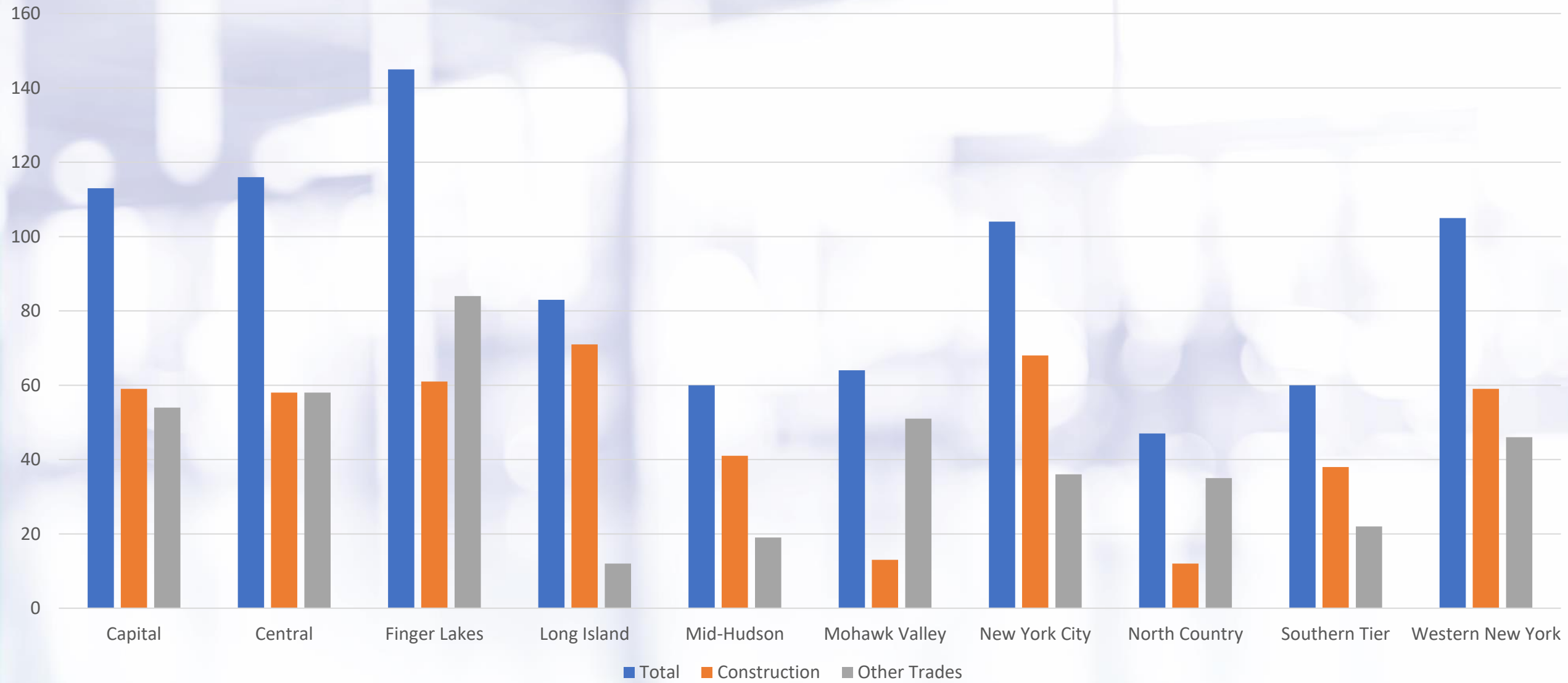
As of September 30, 2024:

- 595 sponsors
- 899 programs
- 17,317 active apprentices
- 2,063 Certificates of Completion issued to date in 2024

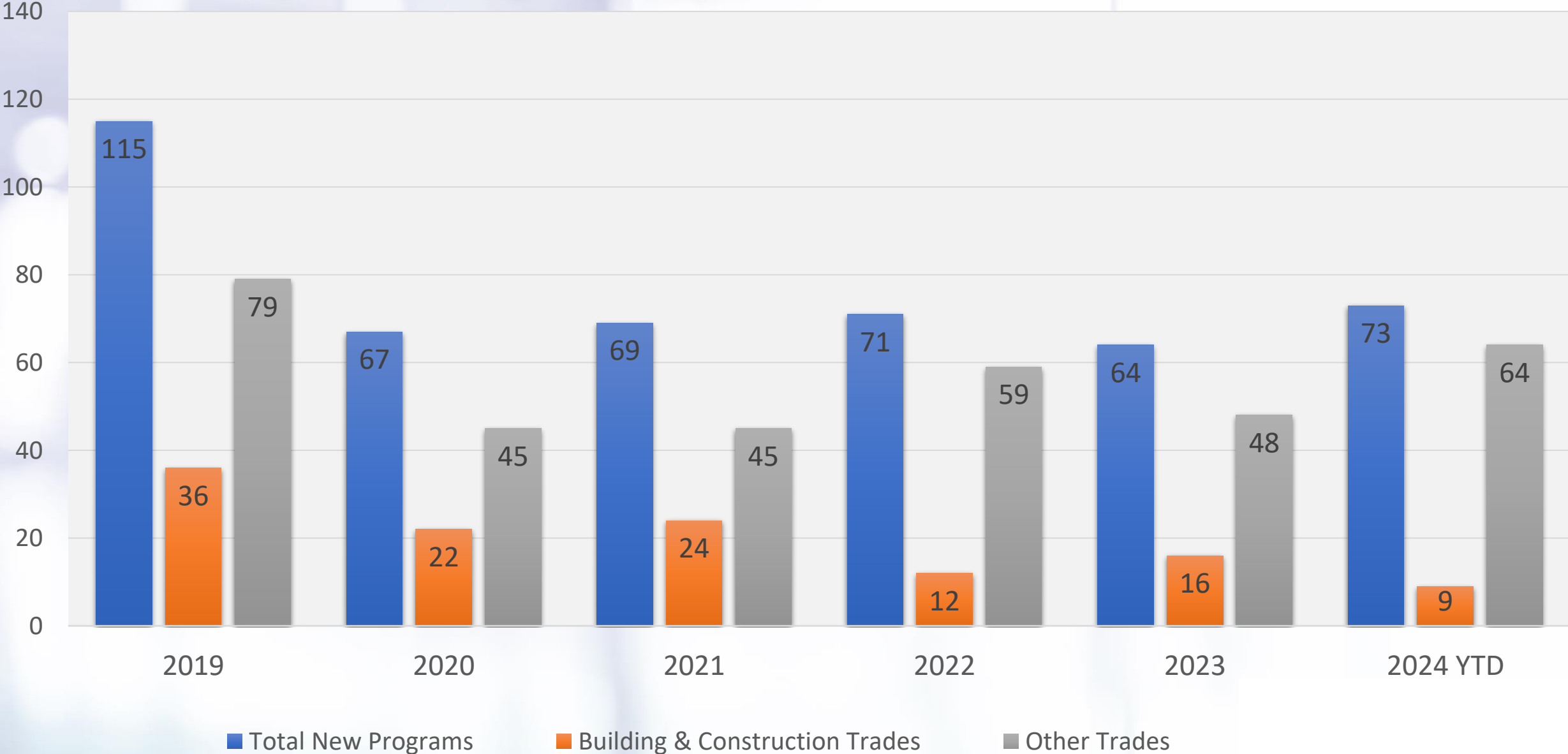
Consistent Increase in the Number of Sponsors/Programs



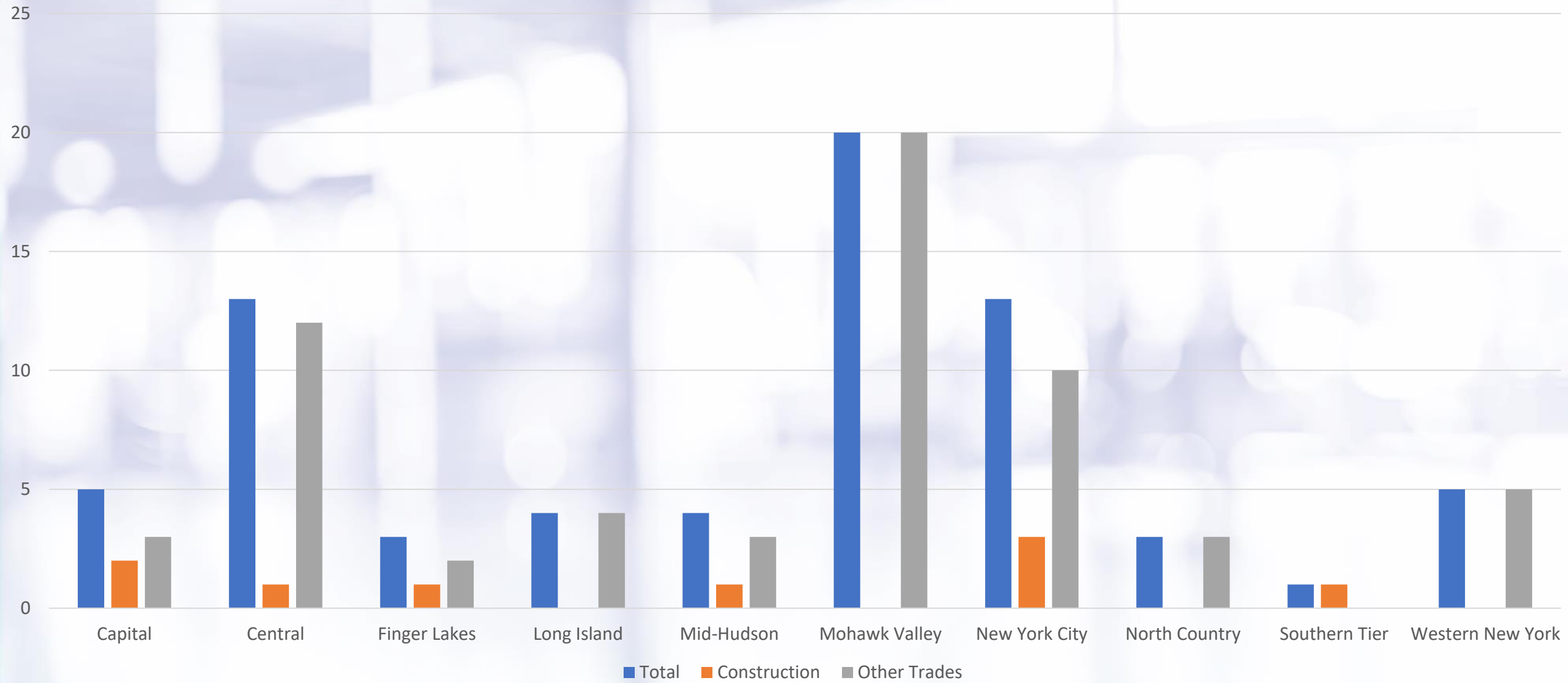
Apprenticeship Programs by Region – As of 9/30/24



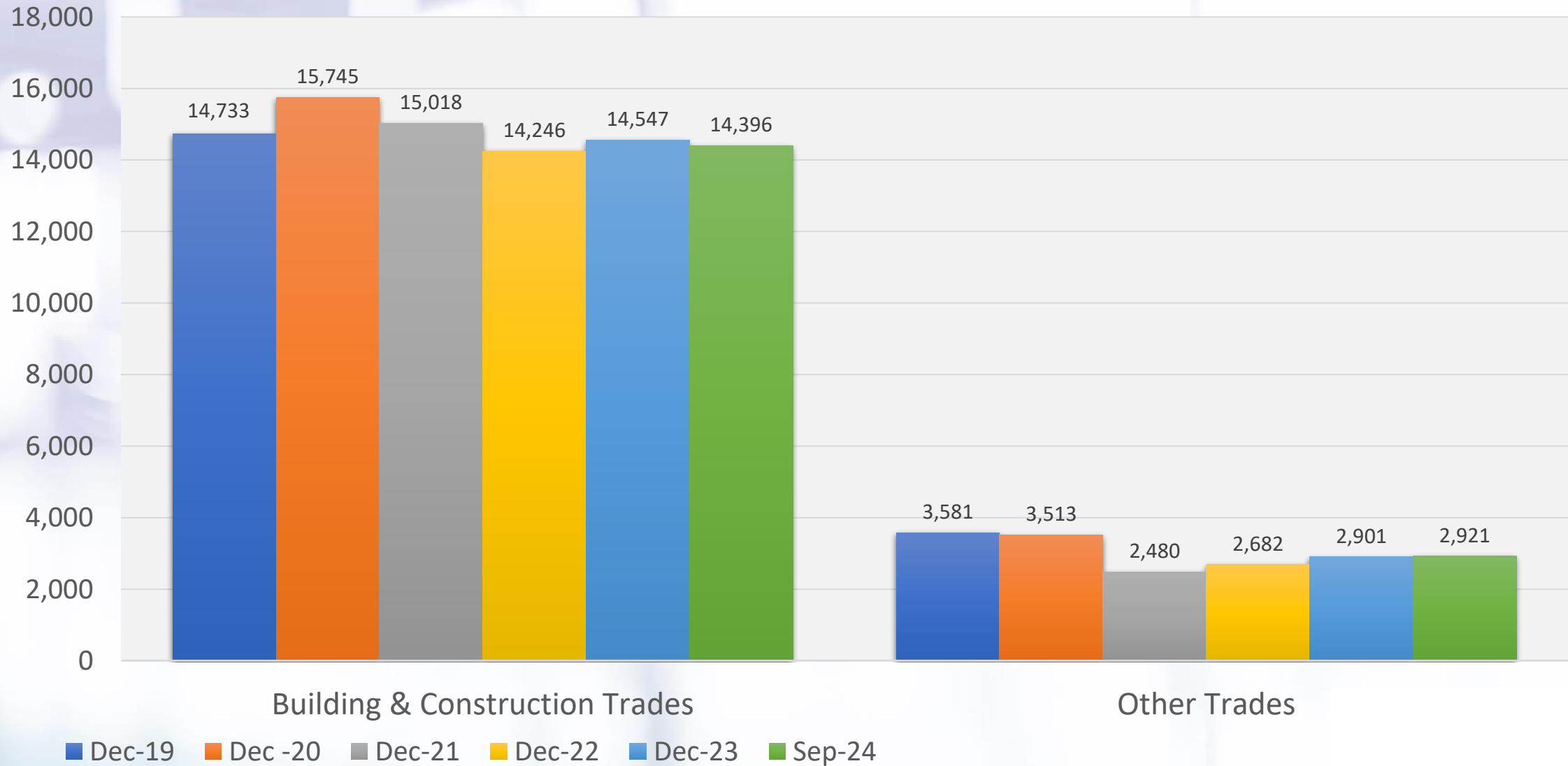
New Programs



New Apprenticeship Programs by Region – As of 9/30/24

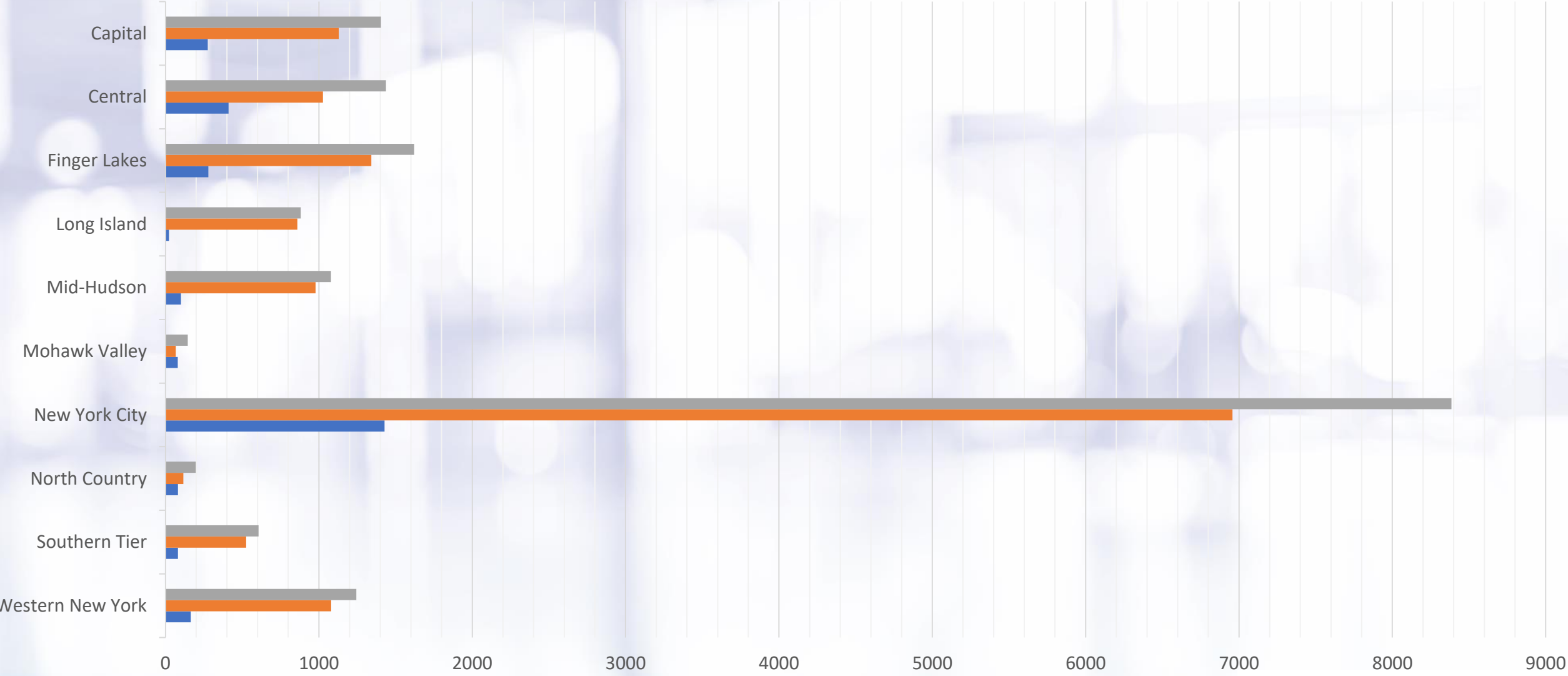


Comparison of the Number of Active Apprentices- Construction & Other Trades

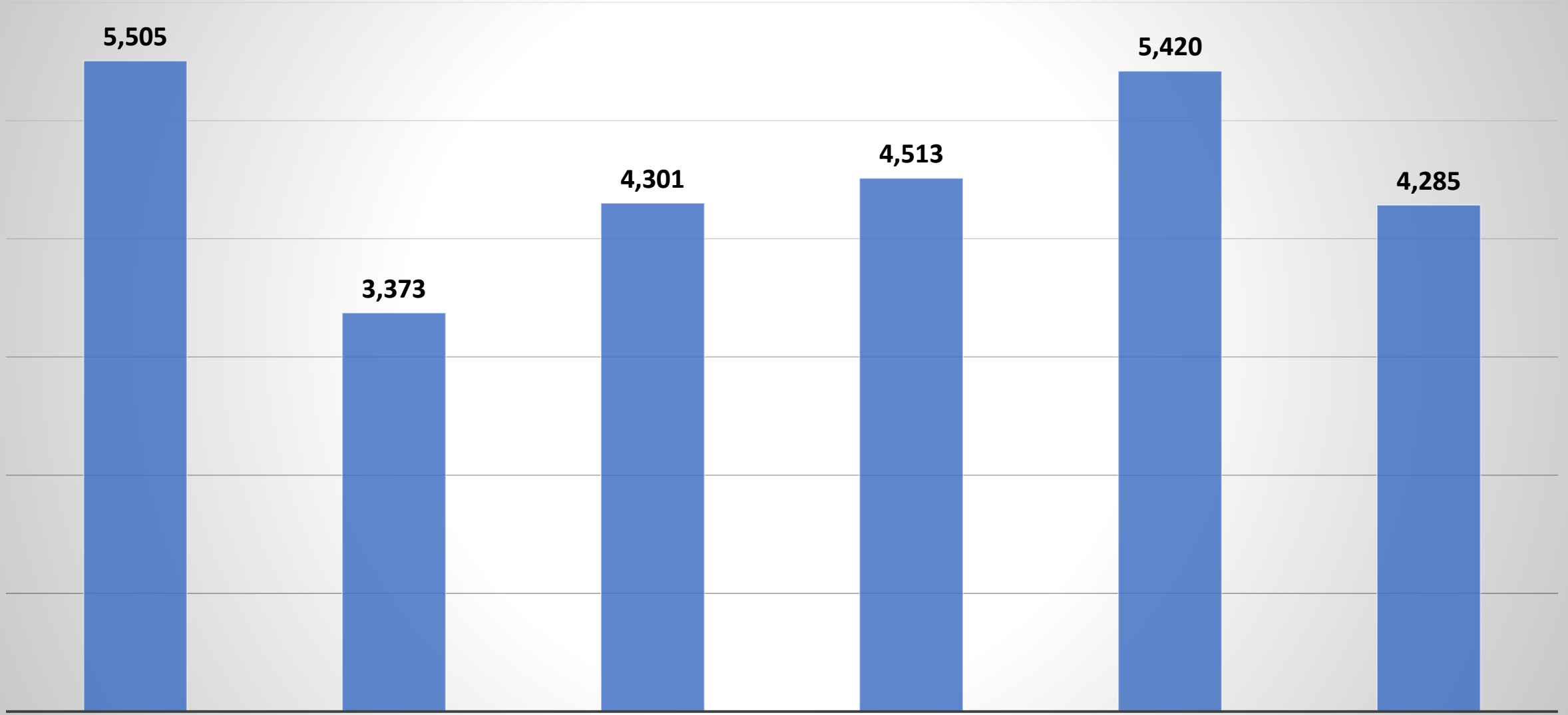


Apprentices by Region – As of 9/30/24

■ Total ■ Construction ■ Other Trades



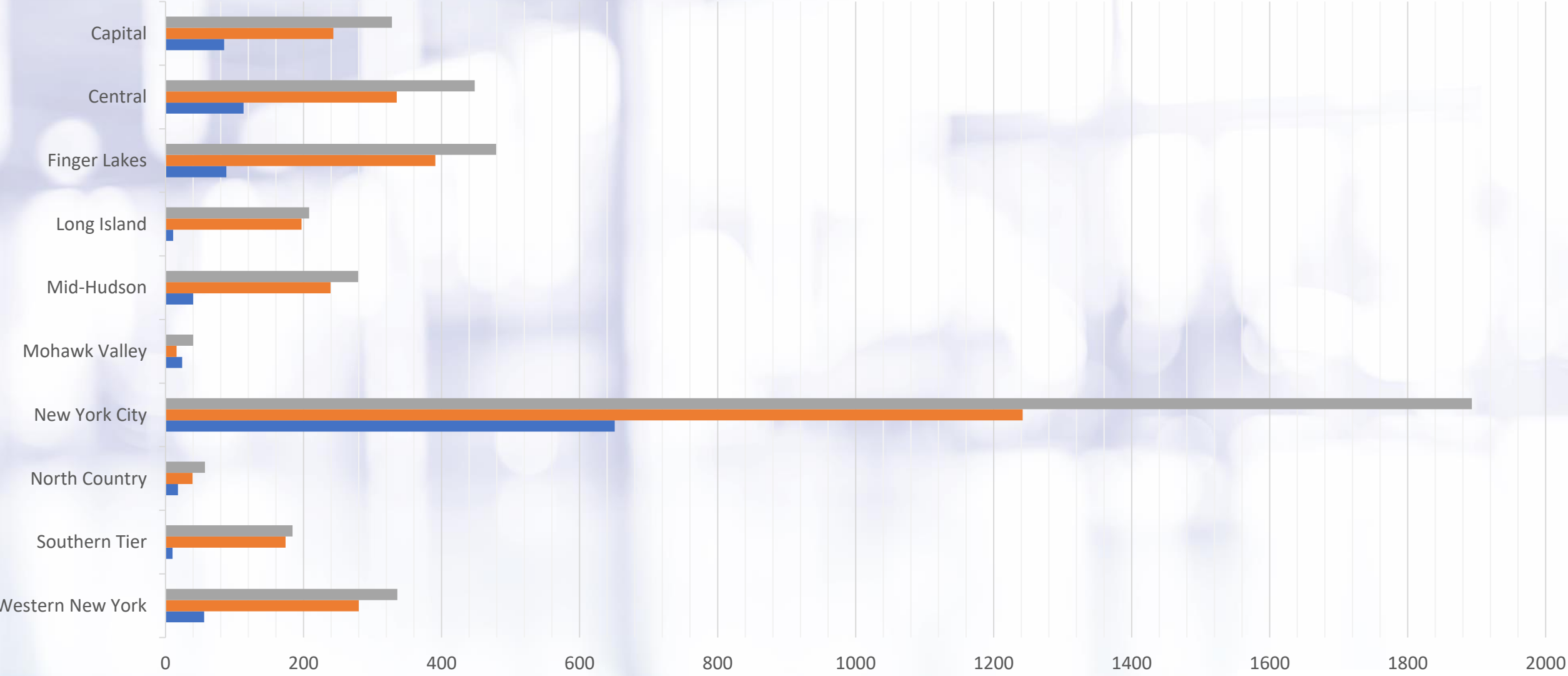
Number of Newly Enrolled Apprentices



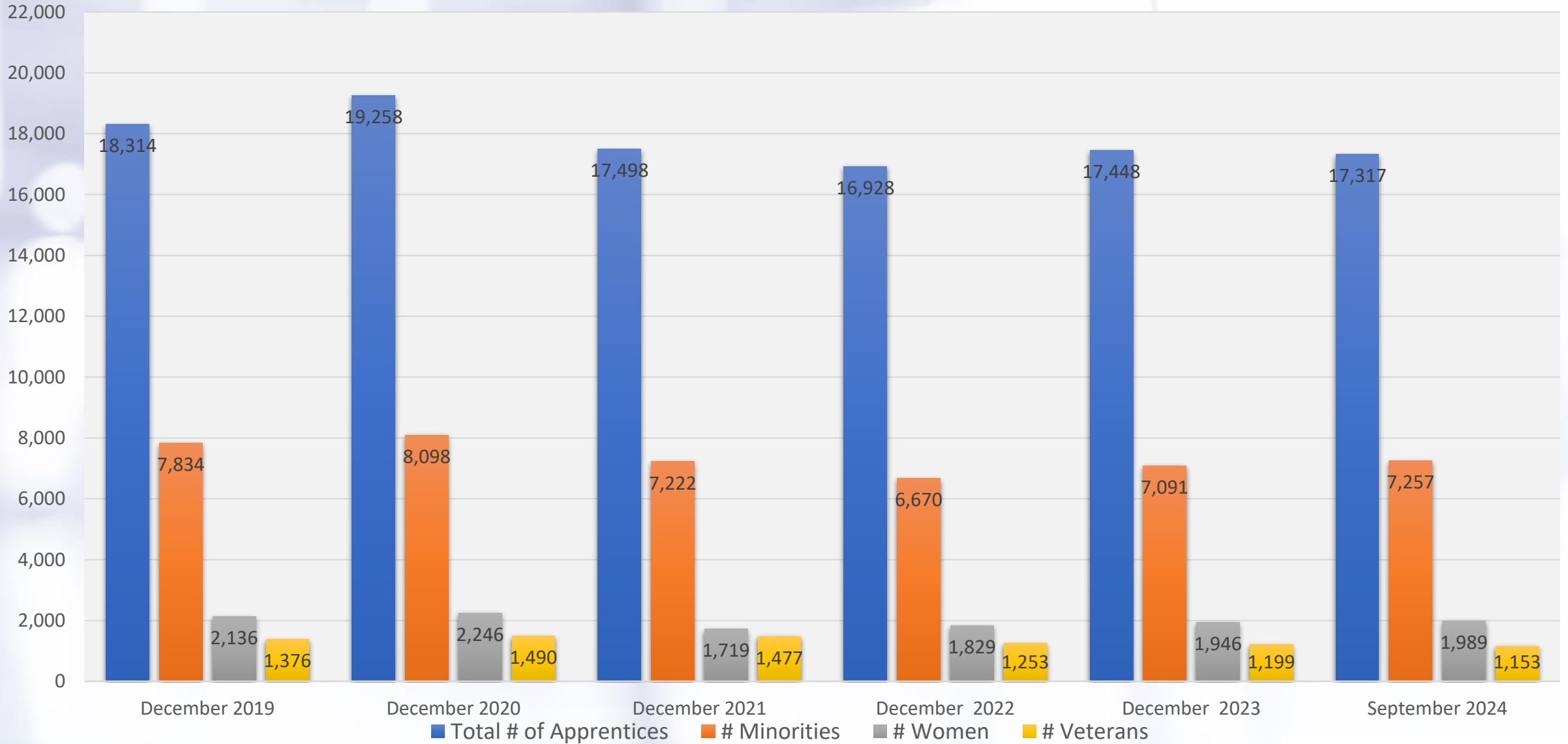
■ Apprentices

Newly Enrolled Apprentices by Region – As of 9/30/24

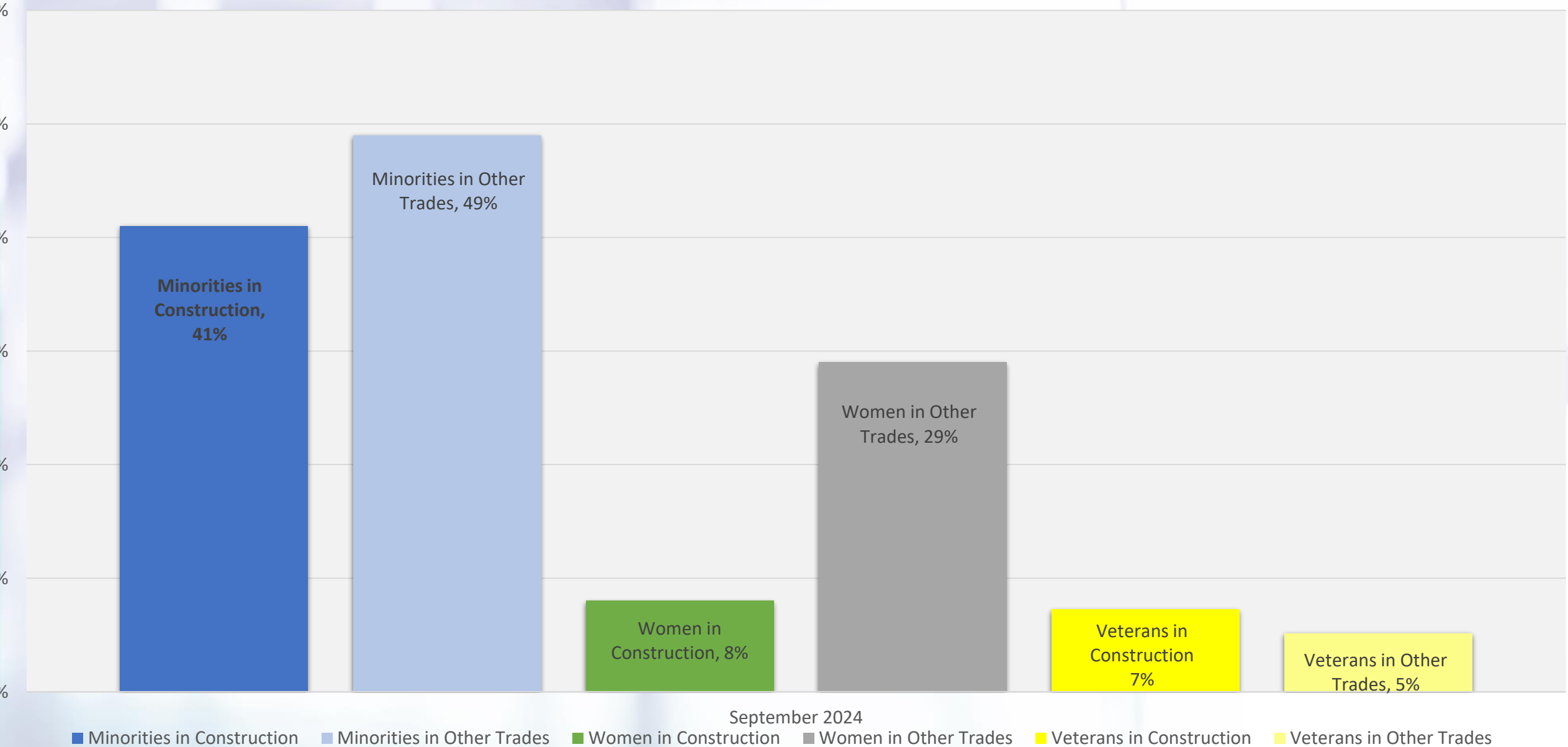
■ Total ■ Construction ■ Other Trades



Minorities, Women & Veterans in NYS Registered Apprenticeship (RA)



Minorities, Women & Veterans in NYS RA Construction Trades and Other Trades – As of 9/30/24



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Questions?

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**Apprenticeship & Training Council Meeting
December 17, 2024**

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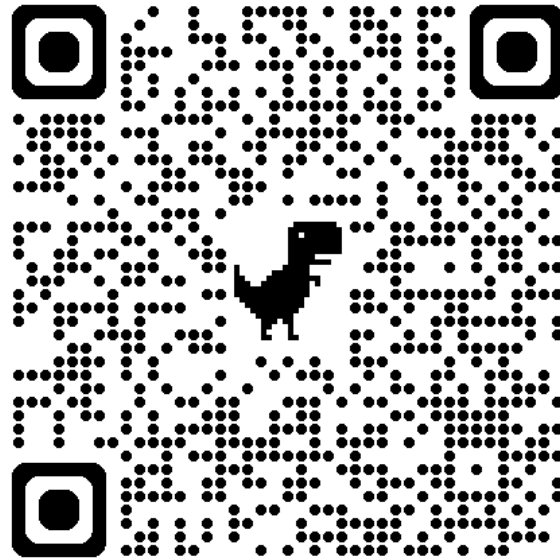


**Department
of Labor**

New Trades

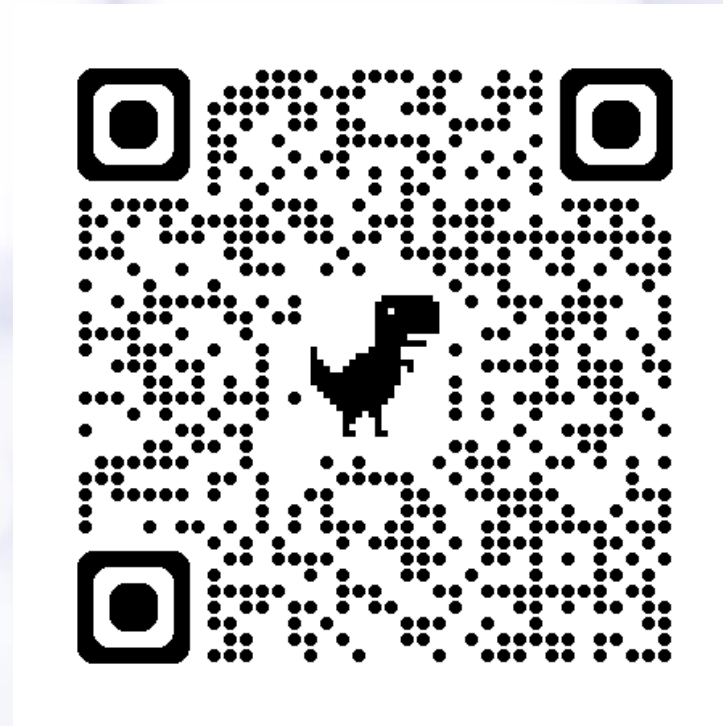
New Trade

Bartender



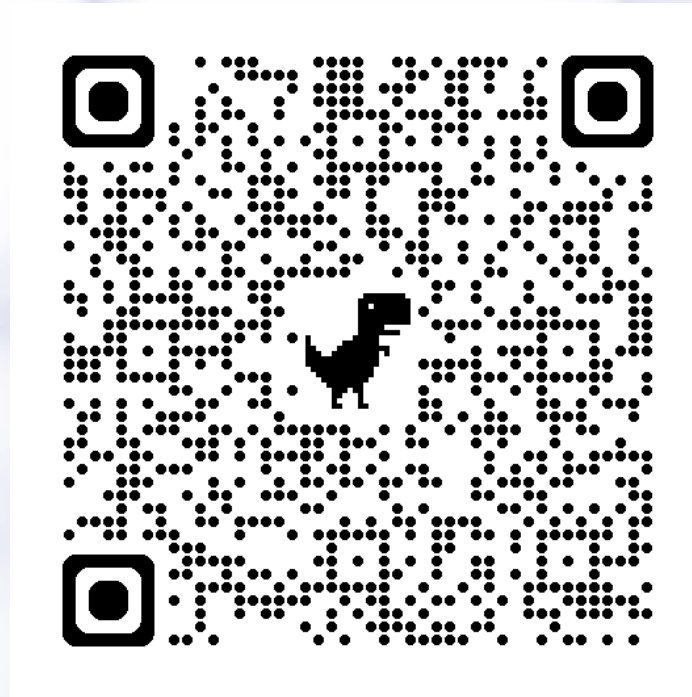
New Trade

Care Coordinator



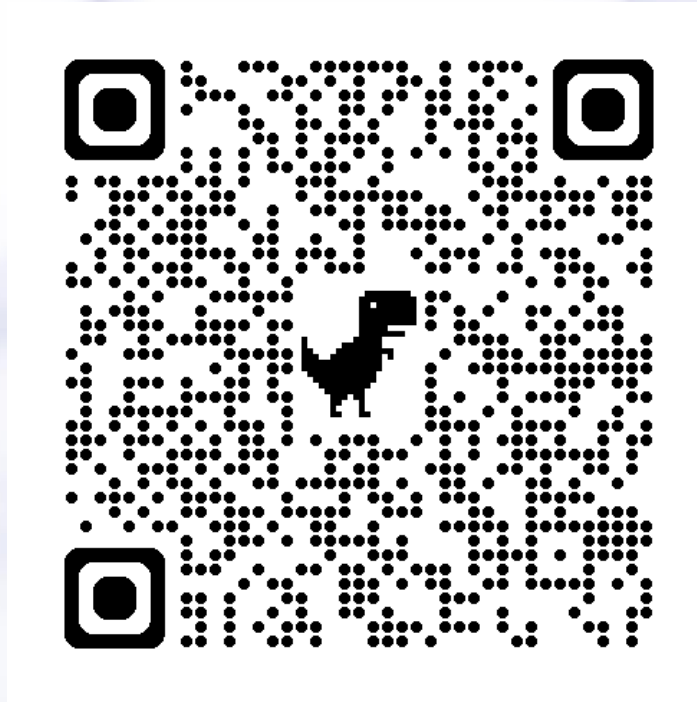
New Trade

Nanotechnology Engineering Technician



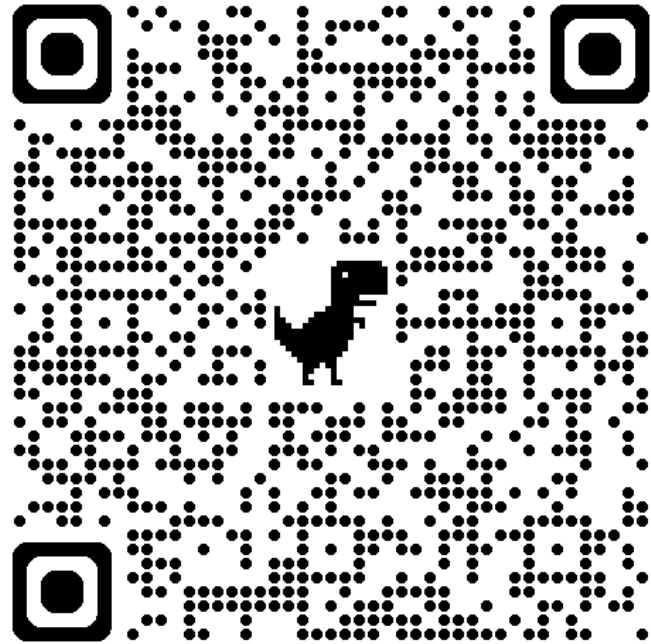
New Trade

Truck Driver, Light (Last-mile Delivery)



New Trade

General Insurance Associate



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Questions?