



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Thomas A. Stith III

President

NUMBERED MEMO CC21-055

TO: Members of the State Board of Community Colleges
Chairs of the Boards of Trustees
Community College Presidents
Chief Academic Officers, Chief Admissions Officers, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Chief Financial Officers, Continuing Education Officers, Financial Aid Officers, Personnel Directors, Student Development Administrators, Public Information Officers, Registrars, & Other Interested Parties

FROM: Tawanda Foster Artis
NCCCS General Counsel

SUBJECT: Proposed Amendment of 4B SBCCC 100.1 – Adoption of Federal Rules Regarding Equal Employment Opportunity in Apprenticeship

DATE: November 29, 2021

The State Board of Community Colleges has initiated the rulemaking process to amend **4B SBCCC 100.1 – Adoption of Federal Rules Regarding Equal Employment Opportunity in Apprenticeship**. The proposed amendment requires all apprenticeship programs registered in North Carolina to comply with equal employment opportunity requirements as mandated in federal law. This language was required by the U.S. Department of Labor, Office of Apprenticeship.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu/sbcccode. For your convenience, a copy of the proposed rule, with the changes indicated, are attached to this memorandum. Strikethroughs indicate deletions of existing language and underlines indicate additions of language.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits public comments on behalf of their community college should comply with their college's local process for submitting comments on a proposed rule. Written comments on the rule must be received by no later than 5:00 p.m. on December 23, 2021. Any member of the public has the right to request a hearing on the proposed rule. Requests for a hearing must be received by no later than 5:00 p.m. on December 8, 2021. Written comments and requests for hearing shall be directed to the following address:

Tawanda Foster Artis, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC21-055
E-mail Copy
Attachments



Notice of Proposed Rulemaking Form

Date: November 29, 2021

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Amend 4B SBCCC 100.1 – Adoption of Federal Rules Regarding Equal Employment Opportunity in Apprenticeship
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Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
	X	

Rationale for proposed adoption, amendment or repeal:	The proposed amendment is made as suggested from the U.S. Department of Labor, Office of Apprenticeship. This amendment will enable ApprenticeshipNC become fully recognized as the State Apprenticeship Agency in North Carolina.
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Proposed Effective Date of Rule	February 1, 2022
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Title 1 is proposed for amendment as follows:



**State Board of Community Colleges Code
Title 4 – APPRENTICESHIPNC**

CHAPTER B. EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIPS

4B SBCCC 100.1 – Adoption of Federal Rules Regarding Equal Employment Opportunity in Apprenticeship

As the State Apprenticeship Agency, the North Carolina Community Colleges System Office (through ApprenticeshipNC) is responsible for implementing equal opportunity standards relating to apprenticeship. These standards are established in Title 29, Part 30 of the Code of Federal Regulations. All apprenticeship programs registered in North Carolina must comply with the requirements incorporated herein by the effective date of this section, in accordance with 29 CFR 30.18. The following federal regulations are hereby incorporated and adopted, to be administered by ApprenticeshipNC:

- (a) 29 CFR 30.2 – Definitions.
- (b) 29 CFR 30.3 – Equal opportunity standards applicable to all sponsors.
- (c) 29 CFR 30.4 – Affirmative action programs.
- (d) 29 CFR 30.5 – Utilization analysis for race, sex, and ethnicity.
- (e) 29 CFR 30.6 – Establishment of utilization goals for race, sex, and ethnicity.
- (f) 29 CFR 30.7 – Utilization goals for individuals with disabilities.
- (g) 29 CFR 30.8 – Targeted outreach, recruitment, and retention.
- (h) 29 CFR 30.9 – Review of personnel processes.
- (i) 29 CFR 30.10 – Selection of apprentices.
- (j) 29 CFR 30.11 – Invitation to self-identify as an individual with a disability.
- (k) 29 CFR 30.12 – Recordkeeping.
- (l) 29 CFR 30.13 – Equal employment opportunity compliance reviews.
- (m) 29 CFR 30.14 – Complaints.

- 1 (n) 29 CFR 30.15 – Enforcement actions.
- 2 (o) 29 CFR 30.16 – Reinstatement of program registration.
- 3 (p) 29 CFR 30.17 – Intimidation and retaliation prohibited.
- 4 (q) 29 CFR 30.18 – State Apprenticeship Agencies
- 5 ~~(r)~~ (r) 29 CFR 30.19 – Exemptions.

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7 *History Note: Authority G.S. 115D-11.6; 115D-11.7; 115D-11.8*

8 *Eff. [September 1, 2021](#).*

9 *Amended:*

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