

Appendix D

(SAMPLE)

**QUALIFICATIONS AND SELECTION
PROCEDURES**

ADOPTED BY

***(INSERT EMPLOYERS' NAMES OR EMPLOYER
GROUP NAME OR ASSOCIATION)***

***(INSERT NAME OF UNION OR LABOR
ORGANIZATION)***

**DEVELOPED IN COOPERATION WITH THE
U. S. DEPARTMENT OF LABOR
OFFICE OF APPRENTICESHIP**

**APPROVED BY _____
REGISTRATION AGENCY**

DATE APPROVED: _____

The certification of this selection procedure is not a determination that, when implemented, it meets the requirements of the Uniform Guidelines on Employee Selection Procedures (41 CFR, part 60-3) or Title 29 CFR, part 30. Note that selection procedures may need to be modified to provide reasonable accommodations to qualified individuals with disabilities.

SECTION I. - MINIMUM QUALIFICATIONS (EXAMPLES)

Applicants will meet the following minimum qualifications:

A. Age

The JATC will establish qualifications regarding minimum age limits. *(Applicant must provide evidence of minimum age respecting any applicable State Laws or regulations.)* Apprentices must not be less than 16 years of age.

B. Education

A high school diploma or GED equivalency is required. Applicant must provide an official transcript(s) for high school and post high school education and training. All GED records must be submitted if applicable. Opportunities for technical preparation shall be provided by the sponsoring agency to all existing employees failing to meet the above requirements. Students in an approved high school or vocational/technical secondary institution may be accepted as part of the apprenticeship program, provided there is prior written agreement between the educational institution and the JATC, based on advice and consent of the NJATC.

Applicants must submit a DD-214 to verify military training and/or experience if they are veterans and wish to receive consideration for such training/experience.

C. Physical

Applicants will be physically capable of performing the essential functions of the apprenticeship program with or without a reasonable accommodation, and without posing a direct threat to the health and safety of the individual or others.

Applicants may be subject to a physical agility or fitness test, or screened for the current illegal use of drugs or both on acceptance into the program and prior to being employed. The cost of the examination and/or drug screening may be the responsibility of the NJATC or the Employer.

D. Aptitude Test

All applicants must pass each section of a locally determined aptitude test.

SECTION II. - APPLICATION PROCEDURES

- A. Applicants will be accepted at times determined by JATC. All persons requesting an application will have one made available upon signing the applicant log.
- B. All applications will be identical in form and requirements. The application form will be numbered in sequence corresponding with the number appearing on the applicant log so that all applications can be accounted for. Columns will be provided on the applicant log to show race/ethnic and sex identification and the progress by dates and final disposition of each application.
- C. Before completing the application, each applicant will be required to review the Career Ladder Training Standards and will be provided information about the program. If the applicant has any additional questions on the qualifications or needs additional information to complete the application, it will be provided by the JATC. (Rail Car Maintenance Technician is often a rung up from Helper or Custodian and there are career levels within "Technician" in many cases. Beyond this, employees are often promoted into management positions after occupying several rungs of the career ladder over their work lives. The transit industry offers an opportunity for tremendous career growth and lifelong learning.)
- D. Receipt of the properly completed application form, along with required supporting documents (proof of age, driver's license, birth certificate or other acceptable documentation; copy of high school diploma, GED Certificate or other acceptable documentation) will constitute the completed application.
- E. Completed applications will be checked for minimum qualifications. Applicants deficient in one or more qualifications or requirements or making false statements on their application will be notified in writing of their disqualification. The applicant will also be notified of the appeal rights available to them. No further processing of the application will be taken.
- F. Applicants meeting the minimum qualifications and submitting the required documents will be notified where and when to appear for an interview (if applicable).

SECTION III. - SELECTION PROCEDURES

- A. The JATC will schedule the interview (if applicable) and evaluation session. All applicants who have met the minimum qualifications and

have submitted the required documents must be notified of the date, time, and place to appear.

- B. The interviewer(s) will rate each applicant during the interview on each of the factors on the applicant rating form taking into account the information on the application and required documents, if applicable. The interviewer will record the questions asked and the general nature of the applicant's answers. The interviewer will then prepare a written summary of his or her judgment of the applicant derived from the interview.
- C. After completing the interview and evaluation of the applicants, the individual rating scores of the interviewer(s) will be added together and averaged to determine the applicant's final rating.
- D. Applicants will be placed on a "Ranking List" according to their scores at the evaluation session, with the applicant having the highest score being at the top of the list, and all applicants then listed in descending order based on score.
- E. As openings for the registration of new apprentices occur, the highest ranked applicant will be notified of selection by telephone. It will be the responsibility of the applicant to keep the JATC informed of his/her current mailing address and telephone number.
- F. Selected applicants must respond to the notice of selection within (*a locally determined number of*) hours of notice. If applicants cannot be reached by telephone, their names will be passed and notice sent to their address by "Certified Mail-Return Receipt Requested" to determine if the applicants are still interested. If no response is received in fifteen (15) working days from the written notice, the applicant's name will be removed from the list. Only one certified notice will be mailed.
- G. Qualified applicants remaining on a preceding ranking list will automatically be carried forward on the new ranking list and slotted in wherever their rating score placed them for a period of two (2) years, unless the applicant has been removed from the list by his/her own written request or following failure to respond to an apprentice opening. Applicants who were not placed during the two (2) year period that they were on the ranking list will be required to reapply.
- H. During the two (2)-year period, applicants who feel that their qualifications have improved since their original rating may submit documented evidence of such additional experience or training and request reevaluation and rating at the next regular processing cycle.

SECTION IV. - DIRECT ENTRY

JATCs who wish to invoke the direct entry provision may do so without regard to the existing selection procedure or minimum qualifications used for entry into the apprenticeship program. Individuals selected into the apprenticeship program via direct entry shall only include those individuals described below who have received training or employment in an occupation directly or indirectly related to the occupation(s) registered in these Standards. The JATC will award Credit for Previous Experience in accordance with Section XII of these Standards, and will pay the apprentice(s) at the wage rate commensurate with their skill attainment. The Credit for Previous Experience shall be awarded without regard to race, color, religion, national origin or sex. The methods for direct entry shall include the following:

- A. Youth who complete a Job Corps training program in any occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no Transit Rail Car Maintenance Technician Apprenticeship opening is available, the Job Corps graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The JATC will evaluate the Job Corps training received for granting appropriate credit on the term of apprenticeship. Entry of Job Corps graduates will be done without regard to race, color, religion, national origin, or gender. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- B. An employee of a non-signatory employer not qualifying as a journeyworker when the employer becomes signatory, will be evaluated by the JATC in accordance with the procedures for the granting of credit for previous experience, and registered at the appropriate period of apprenticeship based on previous work experience and related training. Any employee not eligible for receipt of credit must make application in accordance with the normal application procedures. ***(Note: This is a method of direct entry into the apprenticeship program, whereby all minimum qualifications are waived.)***
- C. An individual who signs an authorization card during an organizing effort, wherein fifty-one percent (51%) or more of the employees have signed authorization cards, whether or not the employer becomes signatory, and is an employee of the non-signatory employer and does not qualify as a journeyworker, will be evaluated in accordance with the procedures for the granting of credit for previous experience and registered by the JATC at the appropriate period of apprenticeship based on previous work experience and related training. Any employee not eligible for receipt of credit must make application in accordance with the normal application procedures. Entry into the program through this method shall be done without regard to race, color, religion, national origin, or sex. ***(Note: This***

is a method of direct entry into the apprenticeship program). For such applicants to be considered they must:

1. be employed in the JATC's jurisdiction when the authorization card was signed;
 2. have been employed by the employer before the organizational effort commenced;
 3. have been offered the opportunity to sign authorization cards and be evaluated along with all other employees of the employer; and
 4. provide reliable documentation to the JATC to show they were an employee performing Transit Rail Car Maintenance Technician work prior to signing the authorization card.
- D. Military Veterans who completed military technical training school and participated in a registered Rail Car Maintenance Technician Apprenticeship program while in the military may be given direct entry into the Rail Car Maintenance Technician Apprenticeship program. The JATC will evaluate the military training received for granting appropriate credit on the term of Rail Car Maintenance Technician Apprenticeship and the appropriate wage rate. The JATC will determine what training requirements they need to meet to ensure they receive all necessary training for completion of the Rail Car Maintenance Technician Apprenticeship program. Entry of Military Veterans shall be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***

SECTION V. - COMPLAINT PROCEDURE

- A. Any trainee or applicant for Rail Car Maintenance Technician Apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to Rail Car Maintenance Technician Apprenticeship or that the equal opportunity standards with respect to his /her selection have not been followed in the operation of a Rail Car Maintenance Technician Apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the trainee's or applicant's election, with the private review body established by the JATC (if applicable).
- B. The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the JATC involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.

- C. The complaint must be filed not later than 180 days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and, in the case of complaints filed directly with the review bodies designated by the JATC to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.
- D. Complaints of discrimination in the Rail Car Maintenance Technician Apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.
- E. The JATC will provide written notice of their complaint procedure to all applicants for Rail Car Maintenance Technician Apprenticeship and all trainees.

SECTION VI. - MAINTENANCE OF RECORDS

The JATC will keep adequate records including a summary of the qualifications of each applicant, the basis for evaluation and for selection or rejection of each applicant, the records pertaining to interviews of applicants, the original application for each applicant, information relative to the operation of the Rail Car Maintenance Technician Apprenticeship program, including, but not limited to, job assignment, promotion, demotion, layoff, or termination, rates of pay or other forms of compensation or conditions of work, hours including hours of work and, separately, hours of training provided, and any other records pertinent to a determination of compliance with the regulations at Title 29, CFR part 30, as may be required by the U.S. Department of Labor. The records pertaining to individual applicants, selected or rejected, will be maintained in such manner as to permit the identification of minority and female (minority and non-minority) participants.

Each JATC must retain a statement of its AAP for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analysis made pursuant to the requirements of Title 29, CFR part 30.4. Each JATC also must maintain evidence that its qualification standards have been validated in accordance with the requirements set forth in Title 29, CFR part 30.5(b).

In addition to the above requirements, adequate records will include a brief summary of each interview and the conclusions on each of the specific factors, e.g., motivation, ambition, and willingness to accept direction which are part of the total judgment. Records will be maintained for five (5) years from the date of last action and made available upon request to the U.S. Department of Labor or other authorized representative.

SECTION VII. - OFFICIAL ADOPTION OF SELECTION PROCEDURES

The (Insert Employers Names or Employer Group Name or Association)
(Insert Name of Union or Labor Organization) hereby officially adopts these
Selection Procedures on this _____ Day of (Insert Month/Year).

Signature of Management

Signature of Labor

Printed Name

Printed Name

Signature of Management

Signature of Labor

Printed Name

Printed Name

Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.