

APPENDIX D

SAMPLE

Qualifications and Selection Procedures

The Qualifications and Selection Procedures provided are not a guideline, but should be adopted as presented. Once the Joint Apprenticeship Committee approves it locally, it must be submitted to the local Registration Agency for approval and registration.

QUALIFICATIONS AND SELECTION PROCEDURES

ADOPTED BY

(INSERT NAME OF LOCAL JAC SPONSORING PROGRAM)

Developed by the National Elevator Industry Educational Program

For

International Union of Elevator Constructors (IUEC)

And

Participating Employers

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 29 CFR part 30. Note that selection procedures may need to be modified to provide reasonable accommodations to qualified individuals with disabilities.

QUALIFICATIONS AND SELECTION PROCEDURES

SECTION I – MINIMUM QUALIFICATIONS (EXAMPLES)

Applicants will meet the following minimum qualifications:

A. Age

The JAC will establish qualifications regarding minimum age limits. Applicants shall submit reliable proof of birth date with the complete application to ensure meeting the minimum age requirement. An applicant who is seventeen (17) years of age at the time of application who otherwise meets all qualifications may be rated and ranked and placed on the Pool of Eligible list. Such an applicant must provide proof that a graduation certificate or GED has been awarded, and must be eighteen (18) years of age, prior to being registered by the JAC. Examples of acceptable proof include a valid driver's license, birth certificate, or other State identification. (Applicant must provide evidence of minimum age respecting any applicable State Laws or regulations.)

B. Education

A high school diploma or General Education Development (GED) equivalency approved by the State 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.

Applicants must submit a DD-214 "copy 4" to verify military training and/or experience if they are military or veteran 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 will pass a screen test for the current illegal use of drugs on acceptance into the program and prior to being employed.

D. Aptitude Test

All applicants shall be given an examination, if one is available, designed to test the applicant's reading and math skills and aptitude for employment in the elevator industry, which shall be scored on a pass fail basis. Applicants may be assessed an examination fee if notice is included in the notification and application periods score of 70% is the minimum passing grade. Applicants not passing the test will not be interviewed and will be removed from the pool of applicants. Applicants may re-apply at a later recruitment period.

SECTION II – PURPOSE

The National Elevator Industry Education Program has prepared these selection procedures. The U.S. Department of Labor, Office of Apprenticeship, has approved the procedures for adoption by local Joint Apprenticeship Committees (hereafter known as JAC's), to assist them in complying with applicable law and lawful regulations issued there under.

SECTION III – GENERAL SELECTION PROCEDURES

- A. Applications will be available to anyone who is interested.
- B. The fact that applications and apprenticeship opportunities are available shall be made known as outlined in the Affirmative Action Plan (AAP).
- C. Applications will be available at places designated by the local JAC (preferably at the local JAC office if one exists).
- D. Records shall be maintained and kept for at least five (5) years to show the progress, by dates, including final disposition of each application.
- E. Applications will be accepted at times designated by the local JAC. (If applications are accepted throughout the year, dissemination of information shall not be done less than semi-annually.)
- F. Interviews will be held at intervals designated by the local JAC. All applications for apprenticeship accepted since the last series of interviews shall be processed to final disposition before any individual is selected. Interviews will be granted to all who meet the minimum qualification. The number of new apprentices to be accepted shall be determined before starting interviews.
- G. Eligible applicants (applicants acceptable after interview) not chosen for entrance into apprenticeship will be held in the pool of eligibles for two (2) years.
- H. Applicants not interviewed because they lack the minimum qualifications will not be reconsidered until they correct any deficiencies they may have and reapply.
- I. Selected candidates shall be registered as probationary apprentices into the apprenticeship program and will serve a probationary period or periods totaling six (6) months/within the aggregate period of not more than nine (9) months. Each probationary apprentice shall be evaluated at the end of the probationary period in regard to on-the-job performance, and related training.

SECTION IV - SELECTION OF APPRENTICES

1. The employer shall select apprentices from a pool of applicants created in the manner set forth below:
 - A. Contractors covered by Executive Order 11246 may elect to select apprentices in accordance with the provisions and goals and timetables of their current AAP, provided that an AAP is currently

approved by the Office of Federal Compliance Contract Programs and a copy of such plan is on file with the JAC.

- B. Contractors electing not to follow paragraph (a) above shall select their apprentices from a pool of applicants created in the manner set forth below.

2. APPLICANT POOL

- A. Applications: Applications will be accepted once the JAC determines a need and determines the approximate number of apprentices necessary to fill the projected employment needs of the employer.

B. Every person requesting an application shall be recorded on the applicant log and shall be furnished an application package which will include:

1. Apprenticeship Application.
2. Information relating to work in the occupation as an apprentice.

- C. Individuals receiving applicant packages shall return the completed information, including copies of the applicant's birth certificate, high school diploma or G.E.D. in no more than fifteen (15) business days. Any individual who fails to return the information after fifteen (15) business days shall be noted on the applicant log as being ineligible for consideration at this time.

- D. Any individual who meets the eligibility requirements and who returns a completed package within fifteen (15) business days of its receipt shall be considered an applicant and eligible for testing and interview.

- E. Interviews shall be conducted at the discretion of JAC; however, no interview shall be conducted with less than seven days (7) notice, via first class mail, to all applicants.

F. Notices shall also be sent to applicants who have previously been interviewed and ranked, advising them of the opportunity to re-interview, provided they can demonstrate tangible evidence of activities which have enhanced their qualifications for the job.

G. In the event any applicant fails to respond to said notices, they shall be removed from the pool of applicants and notation of such shall be made on the applicant log.

H. Qualified applicants remaining on a preceding ranking list will

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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 their own written request or following failure to respond to an apprentice opening. Applicants, who were not placed during the two (2)-year period that were on the ranking list, will be required to reapply.

3. TESTING INTERVIEWING AND PRE-QUALIFICATIONS

A. All applicants shall be given an examination, if one is available, designed to test the applicant's reading and math skills and aptitude for employment in the elevator industry, which shall be scored on a pass fail basis. Applicants may be assessed an examination fee if notice is included in the notification and application periods score of 70% is the minimum passing grade. Applicants not passing the test will not be interviewed and will be removed from the pool of applicants. Applicants may re-apply at a later recruitment period.

B. Applicants passing the test shall be eligible to be interviewed, consistent with the JAC's projected employment needs.

C. Interviews shall be conducted by a committee consisting of at least two individuals, one from the employer and one from the IUEC.

D. Each interview session shall be scheduled to provide time to adequately cover each interview grading area.

E. The interview committee shall have in its possession for review with regard to each applicant: an application form, high school diploma or G.E.D. Certificate and proof of age.

F. After a brief introduction, the committee will ask questions of the applicant with the purpose of finding out as much as possible about the applicant as an individual and about the applicant's capacity to participate in apprenticeship.

G. Questions for the interview and for purposes of evaluation will be on topics related to job performance such as: work experience, school record, mechanical abilities, and motivation.

H. Answers to questions must be recorded during the interview to produce a record for the applicant's file.

I. All applicants must be asked the same questions.

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J. Applicants scoring 69 points and below will not be considered for apprenticeship.

4. APPRENTICE SELECTION

JAC shall notify, via first class mail, all individuals interviewed of the results of the interview, including their score and ranking. The individuals interviewed shall be placed on a rank list based upon their composite score.

5. PLACEMENT PROCESS

1. Unemployed apprentices will be placed prior to selecting new apprentices, according to program policy.
2. Applicants will be placed in order of their rank in the pool of eligible's according to the following procedure:

Employers may select an applicant by rank in descending order.
3. Applicants not selected shall remain on the ranked list for a period of two (2) years.
4. Final approval or rejection of an application submitted to the JAC will be made by the JAC which will review the applicant's eligibility for entry into the program and the availability of apprentices and mechanics in the applicant's geographic area. If the application is rejected, the applicant will be notified of the rejection and the reason there for, via first class mail by the JAC.

6. EXCEPTIONS

For those contractors seeking to employ apprentices on projects covered by a regulatory agency set aside, selection may be made outside of ranking order if necessary to meet the goals and timetables established for apprentices by the contracting agency bid specifications for affirmative action purposes. A copy of the bid specifications dealing with the set aside shall be submitted and retained by the JAC.

SECTION V – DIRECT ENTRY

Alternative Selection Method Requirements:

Apprentices obtaining direct entry into the apprenticeship program will serve a probationary period or periods totaling six (6) months/within the aggregate period of not more than nine (9) months, which include OJL and related instruction. Apprentices will be evaluated in writing by their employer and the union. The written evaluations will be submitted to the JAC, which through objective non-

discriminatory criteria will determine whether the apprentice will continue in the program of education and at which level of the apprenticeship program¹.

Apprentices successfully completing the probationary period, who have demonstrated the skills and knowledge to receive credit for previous experience shall at the conclusion of the probationary period be placed at the appropriate level of the apprenticeship program or recommended to the union for journeyworker status, with commensurate wages to be paid based upon the amount of credit granted.

In order to attract the participation of qualified minorities and women, the JAC will engage in documented outreach activities and will make the records of such activities available for inspection by the Registration Agency.

Organizational Efforts:

An employee of a non-signatory employer not qualifying as a journeyworker when the employer becomes signatory, will be evaluated by the NEIEP 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 training¹. 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.)

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 JAC 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 JAC's jurisdiction when the authorization card was signed;
2. Have been employed by the employer before the organizational effort commenced;

¹Each JAC adhering to these pattern standards must adopt its own criteria (approved by the NEIEP) for the written showing an applicant must make to demonstrate previous experience in the elevator industry. Acceptable written forms of proof include, but are not limited to, letters from previous employers, school transcripts, statements from co-workers and former supervisors and W-2s.

3. Have been offered the opportunity to sign authorization cards and be evaluated along with all other employees of the employer; and provide reliable documentation to the JAC to show that they were an employee performing Elevator Industry work prior to signing the authorization card.

Transfers:

Upon Local IUEC JAC and NEIEP approval, apprentices transferring from a registered IUEC Apprenticeship Program will be transferred at the level of wage rate percentage, period, and related training indicated on official documents supplied by the transferring program. This is a method of direct entry from one registered IUEC Apprenticeship Program to another registered IUEC Apprenticeship Program.

Helmets To Hard Hats:

There are two methods by which a veteran may enter the Elevator Constructors apprenticeship program.

1. Veterans that have completed military technical training school and participated in a registered apprenticeship program or completed military technical training school in a recognized apprenticeable occupation during their military service may be given direct entry into the apprenticeship.

NEIEP will evaluate the military training and OJL experience received for granting of credit on the terms of apprenticeship and appropriate wage rate.

Credit will be granted in accordance with that section identified in the Registered Apprenticeship Program Standards as "Credit for Previous Experience." The request for credit will be evaluated and determination made by NEIEP during the probationary period when actual OJL and related instruction performance can be examined. Prior to completion of the probationary period, the amount of credit to be awarded will be determined after review of the apprentice's previous work and training/education record and evaluation of the apprentice's performance, skills and knowledge demonstrated during the probationary period. An apprentice granted credit shall be advanced to the wage rate designed for the period, which such credit accrues.

Apprentice may be subject to the entrance examination and interview.

Entry of veterans will be done without regard to race, color, religion, national origin or sex.

2. Veterans that have completed military service and have not completed military technical school in a recognized apprenticeable occupation must complete an application and may be required to take an entrance

examination. NEIEP may give veterans special consideration for entry into the apprenticeship program.

SECTION VI – COMPLAINT PROCEDURE

- A. Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the JAC. (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 JAC 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 JAC 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 apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.
- E. The JAC will provide written notice of their complaint procedure to all applicants for apprenticeship and all apprentices.

SECTION VII - MAINTENANCE OF RECORDS

The JAC 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 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 women (minority and non-minority) participants.

Each JAC 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 JAC 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 VIII – APPRENTICE APPLICANT APPEALS PROCEDURE

- A. An Appeals Committee should be established composed of one member appointed by Labor, one member appointed by Management, and a public member appointed by both groups. Each organization shall appoint its own representative on the Appeals Committee in such manner as it desires. The Appeals Committee reports its findings to the JAC. The JAC has is responsible for all decisions.
- B. Management and Labor shall mutually agree on and select the public member of this Appeals Committee.
- C. The authority of the Appeals Committee shall be limited to the rendering of decision on cases involving unjust treatment of applicants for the apprenticeship program in the matter of selection.
- D. Any appeal must be submitted in writing to the local JAC within fifteen (15) days of the date of receipt of notification (as evidenced by return receipt) of the applicant as to the decision of the JAC regarding the application.
- E. A copy of the appeals shall be kept on file by the JAC, for a period of at least five (5) years.
- F. The local JAC shall submit the appeal and the disposition of the applicant in the apprenticeship process to the Appeals Committee.
- G. The Appeals Committee shall consider the written evidence and a hearing shall be granted to all interested parties at a designated date.
- H. A final decision shall be rendered within thirty (30) days of the hearing, and all parties concerned shall be notified in writing by the Appeals Committee.
- I. Decisions of the Appeals Committee shall be final and binding upon the JAC and the applicant.

SECTION IX – ADOPTION OF SELECTION PROCEDURES

The local JAC hereby adopts these Selection Procedures.

Signature – JAC Chair

Date

Signature – JAC Co-Chair

Date

REGISTERED WITH AND APPROVED BY:

Signature – Registration Agency

Date