

Appendix D

(SAMPLE)

AMENDMENT

**QUALIFICATIONS AND SELECTION
PROCEDURES**

ADOPTED BY

(INSERT NAME OF JATC)

**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.

SECTION I. - MINIMUM QUALIFICATIONS (EXAMPLES)

Applicants will meet the following minimum qualifications:

A. Age

Applicants shall not be less than eighteen (18) years of age. Applicants shall be required to provide proof 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. A transcript of school records shall support satisfactory grades in specific courses, for example mathematics, mechanical drawing, etc. Points based on these grades may be granted in the overall evaluation at the time of the interview.

Applicants must submit a DD-214 to verify military training and/or experience if they are a 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. It shall be mandatory on the part of each apprentice to present a doctor's certificate as evidence of physical fitness sufficient to perform the work of the trade.

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.

D. Aptitude Test

Aptitude test is not a requirement, but individual locals may elect to have an aptitude test as part of the selection process.

E. Legal Residence

All applicants for apprenticeship must be able to prove they are legally eligible to work in the United States.

F. Other

Qualities such as interest, character, cooperativeness, judgment and similar factors which promise successful completion of the individual's apprenticeship and performance as a journeyman will be determined by giving a fair and impartial interview.

SECTION II. - APPLICATION PROCEDURES (SAMPLE LANGUAGE)

- A. Applicants will be accepted (*throughout the year or as specified*). 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 Apprenticeship 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.
- 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 (EXAMPLE)

- 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/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. 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 their current mailing address and telephone number.
- E. Selected applicants must respond to the notice of selection within **(Insert Hours)** 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.
- F. 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 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.
- G. During the two-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 that 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 apprentice 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 shall 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 sex. **(Note: This is a method of direct entry into the apprenticeship program.)**

B. Transfer of Apprenticeship - Direct Entry. In order to transfer an Apprenticeship Agreement between **(Insert Sponsors Name)** JATC's registered apprenticeship programs, the following requirements must be met:

1. The apprentice must submit a written request for transfer, describing in detail the needs and reasons upon which the request is based.
2. The apprentice's sponsoring JATC must agree to the transfer.
3. The receiving JATC must agree to accept the transfer.
4. The two **(Insert Sponsors Name)** JATCs must agree to the transfer.
5. The receiving JATC will have complete access to all apprenticeship records pertaining to the transferring apprentice.
6. Upon being accepted by the receiving JATC, the apprentice's existing Apprenticeship Agreement will be terminated.
7. Registration proceedings will be initiated with the receiving JATC and the appropriate Registration Agency. The Registration Agency will be provided with all documentation necessary and/or required to verify that the transfer is justifiable.
8. Apprentices accepted for transfer will be given full credit for OJL experience and related instruction successfully completed while registered in the **(Insert Sponsors Name)** apprenticeship program.

The transferring apprentice must:

- a. Complete an application form, accurately responding to all questions.
- b. Provide the receiving JATC official documentation pertaining to their participation in the apprenticeship program from which they are transferring.

An official copy of all records established with the sponsoring JATC (including a copy of the application form and the Apprenticeship Agreement properly registered with the Registration Agency) and other information submitted will be provided to the receiving JATC. The receiving JATC will examine all documentation submitted before granting permission to transfer. All such records will become part of the receiving JATC's permanent files. 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.)**

C. Helmets to Hardhats (Military Veterans with Technical Training)

A military veteran who completed military technical training school and/or participated in a registered apprenticeship program or related occupation while in the military in the occupations registered in the Ironworkers industry may be given direct entry into the apprenticeship program. The sponsor shall evaluate the military training received for granting appropriate credit on the term of apprenticeship and the appropriate wage rate. The sponsor will determine what training requirements the veteran needs to meet to ensure he or she receives all necessary training for completion of the apprenticeship program. Military veterans who are registered with the Helmets to Hardhats program will be given the utmost consideration with regard to direct entry into the apprenticeship program. Applicants must submit a DD-214 to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience. 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.)**

D. Organizing Efforts

An employee of a non-signatory employer not qualifying as a journeyman 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. 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, whereby all minimum qualifications are waived.)**

E. An employee 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 journeyman, 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 **(Insert Occupation)** prior to signing the authorization card.
- F. An individual who is or who has worked for a signatory or non-signatory employer and who, of his/her own choosing, solicits membership as a journeyman and does not qualify as a journeyman, will be evaluated in accordance with the procedures for 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).**
- G. Recognition of the National Ironworkers Training Program for American Indians, Inc.

The JATC will accept graduates of the National Ironworkers Training Program for American Indians, Inc., directly into the apprenticeship program that have successfully completed the 500-hour related and hands-on course of the Training Program. The National Ironworkers Training Program for American Indians will forward all school records of an applicant being considered by the JATC to the JATC requesting an applicant's records. The JATC will evaluate each applicant and allow credit for the 500-hour course. 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.)**

- H. An individual who has completed a structured pre-apprenticeship training program that meets the requirements outlined in Training and Employment Notice 13-12, Defining a Quality Pre-Apprenticeship Program and Related Tools and Resources, in any occupational area covered in these standards of apprenticeship and who meets the minimum qualifications of the apprenticeship program may be admitted directly into the program. The candidate shall provide official documentation confirming that he or she fulfilled the specific requirements of the pre-apprenticeship program, such as completion/graduation certificates, transcripts, notarized letters of confirmation, and sworn statements. The sponsor will evaluate the training received to grant appropriate credit on the term of apprenticeship. Entry of pre-apprenticeship candidates 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 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 local 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 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 apprenticeship and all apprentices.

SECTION VI. - MAINTENANCE OF RECORDS

- A. 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 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.

- B. Each sponsor must retain a statement of its affirmative action plan 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 sponsor 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).

- C. 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 VI. - OFFICIAL ADOPTION OF SELECTION PROCEDURES

The **(Insert Name of JATC)** hereby officially adopts these Selection Procedures on this _____ day of **(Insert Month/Year)**.

SIGNATURE OF (MANAGEMENT TO PROVIDE TITLE)

PRINTED NAME

SIGNATURE OF (LABOR TO PROVIDE TITLE)

PRINTED NAME

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