

Appendix D

(SAMPLE)

**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 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:

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.*)

B. Education

Applicant must provide an official transcript(s) of education achieved. (*If applicable.*)

Applicants must submit a DD-214, or any similar documentation, used 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.



(*Paragraphs D and E are Removable*) (**SELECT SOME, ALL OR NONE AS APPLICABLE**)

D. Applicant will pass a **screen for the current illegal use of drugs** on acceptance into the program and prior to being employed.

E. Other Minimum Qualifications as Appropriate.

Section II

Application Process

A. Application Process

1. Applications will be accepted *throughout the year*. All persons requesting an application will have one made available upon signing the applicant log.

2. 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.
3. 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.
4. Receipt of the properly completed application form, along with required supporting documents will constitute the completed application:
 - a. Proof of age: driver's license, birth certificate, or other acceptable documentation.
 - b. Social Security Number or U.S. Work Authorization Document
 - c. Copy of official transcript(s) for high school or GED (year or years completed), and post high school education and training
 - d. Applicants must submit a DD-214, or similar documentation used to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.
5. In lieu of item B, in Section I "Minimum Qualifications," individuals who can verify (by providing adequate documenting evidence) that they have worked a minimum of one-thousand five-hundred (1500) hours specifically in the construction trade in classifications represented by the UBC, will qualify for an oral interview by the JATC along with other qualified applicants.
 - a. The individual must provide to the JATC proper documentation that defines their experience in the construction industry. This documentation must be comprised of official documents such as tax/payroll records, notarized letters of experience confirmation and sworn statements. The JATC will examine all documentation submitted before qualification is acknowledged. The JATC will schedule a skill and knowledge evaluation interview with the applicant if it is deemed appropriate.
6. 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.

7. Applicants meeting the minimum qualifications and submitting the required documents will be notified where and when to appear for an interview (if applicable).
8. Applicants may appeal any handling and/or processing of an application by submitting in the facts to support a reversal of any negative decision or adverse outcome in writing within 10 days of official notification of the application status. All such appeals shall be sent to the JATC designated Appeals Committee as provided for in these Standards.

B. Qualification for Selection

1. Individuals who meet the minimum qualifications are eligible to make application for selection. An applicant shall remain active in the Apprentice Application Record Log, subject to selection, for a period of two calendar years from the date of application.
2. In lieu of item B, in Section I “Minimum Qualifications,” individuals who can verify (by providing adequate documenting evidence) that they have worked a minimum of one-thousand five-hundred (1500) hours specifically in the construction trade in classifications represented by the UBC, are eligible to make application for selection.
 - a. The individual must provide to the JATC proper documentation that defines their experience in the construction industry. This documentation must be comprised of official documents such as tax/payroll records, notarized letters of experience confirmation and sworn statements. The JATC will examine all documentation submitted before qualification is acknowledged. The JATC will schedule a skill and knowledge evaluation interview with the applicant if it is deemed appropriate.
3. An employee of a non-signatory employer not qualifying as a Journeyworker when the employer becomes signatory, shall be evaluated by the JATC, using consistent, standard, nondiscriminatory means and indentured at the appropriate period of apprenticeship based on the skill and knowledge of the applicant.
4. An individual who signs an authorization card during an organizing effort wherein fifty percent (50%) plus one of the employees have signed the 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, shall be evaluated by the JATC, using consistent, standard, nondiscriminatory means, and indentured at the appropriate period of apprenticeship based on previous work experience and related training.
5. Transfer of an apprentice from one registered program to another in compliance with Title 29, Code of Federal Regulations (CFR) part 29.5(b)(13). The apprentice must request the transfer. Both the sending and receiving JATCs must agree to the transfer. The transfer must be in the same craft as the apprentice was indentured in the original program, and the transferring apprentice must be provided a transcript of related instruction and on-the-job learning by the JATC and a new Apprenticeship Agreement must be executed when the transfer occurs.

6. If the JATC has an articulation agreement to include pre-apprenticeship with an educational entity, Community-based Organization, a government program, or a similar program and the Registration Agency is agreeable, then a component for pre-apprenticeship may be added to the Selection Procedures. Successful completers would then be eligible to make application.
7. An individual who successfully completes a UBC sponsored Job Corps program can apply for entry into a UBC affiliate sponsored apprenticeship program.
8. UBC members (journeyworkers) may request a change or revision of their classification and/or a change from their current occupation to another occupation and receive direct entry into the apprenticeship program sponsored by their local union.
9. Special Consideration for Military Veterans: Military veterans who have completed their military obligation may be granted special consideration into the program.
 - a. The JATC shall evaluate the military training received and/or any previous work experience for granting the appropriate credit on the term of apprenticeship and the appropriate wage rate.
 - b. The JATC will determine what training requirements they need to meet to ensure that they receive all necessary training for completion of the apprenticeship program. Entry of military veterans shall be done without regard to race, color, religion, national origin, or sex.

Section III

Selection Procedure

- A. The JATC shall adopt one of the following methods of selection (**Title 29,CFR part 30.5**):
 1. Selection on basis of rank from pool of eligible applicants.
 2. Random selection from pool of eligible applicants.
 3. Selection from pool of current employees.
 4. Alternative selection methods.
- B. 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.

- C. The interviewer(s) will award each qualified applicant eligibility points based on applicable work experience, educational and vocational training, safety/trade qualifications, military experience, trade certifications/credentials to establish total eligibility points. 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.
- D. If multiple interviewers complete the apprenticeship interview and award points to the applicants, the individual scores of the interviewer(s) will be added together and averaged to determine the applicant's final application points.
- E. All qualified applicants will be placed on a "Eligible Applicant List" according to their scores at the interview 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.
- F. Selected applicants must respond to the notice of selection within (48) hours of notice. It will be the responsibility of the applicant to keep the JATC informed of their current mailing address and telephone number. 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 eligibility list will automatically be carried forward on the new pool of eligible applicants and slotted in wherever their eligibility 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 on the list but not selected during the two-year (2) period eligibility period, will be required to reapply.
- H. During the two-year (2) period, applicants who feel that their qualifications have improved since their original application may submit documented evidence of such additional experience or training and request reevaluation and eligibility score at the next regular processing cycle.

Alternative Selection Method:

Applicant receives a Letter of Intent-To-Hire (Letter of Sponsorship, Letter of Subscription) from a signatory employer.

- a) A letter of Intent-To-Hire can be used as part of an "Alternative selection method" (See Section III Selection Procedures)
- b) The letter must be written, signed, and dated by a signatory employer and submitted to the JATC.

Section IV

Direct Entry

The JATC may designate one or more of item B Qualifications for Selection methods 2 through 9 from Section II – “Application Process” as Direct Entry. These Direct Entry methods must be listed in the JATC Selection Procedures.

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 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

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 the 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 JATC 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 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 the 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 UNION OR LABOR ORGANIZATION'S NAME)* 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.