

**Appendix D**

**QUALIFICATIONS AND SELECTION  
PROCEDURES**

**ADOPTED BY**

**(Insert Name of JATC)**

**DEVELOPED IN COOPERATION WITH  
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, the selection procedure 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**

Applicants will meet the following minimum qualifications:

### A. Age

All applicants shall be at least seventeen (17) years of age, may be rated and ranked and placed on the pool of eligible's list. JATCs wishing to register seventeen (17) year olds should make certain that this practice does not conflict with State or local laws and applicable insurance regulations.

### B. Education

Applicants shall possess sufficient reading and math comprehension skills to satisfactorily complete the OJL and related technical instruction. A high school diploma or GED equivalency is recommended.

Applicants may submit a DD-214 or other military documentation to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.

### C. Physical

Applicants shall 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 required to pass a physical agility test or screen for the current illegal use of drugs upon acceptance into the program.

## **SECTION II. - APPLICATION PROCEDURES**

A. Applicants shall be accepted throughout the year. All persons requesting an application shall have one made available upon signing the applicant log.

B. All applications shall be identical in form and requirements. The application form shall 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 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, if applicable, shall constitute the completed application.
- E. Completed applications will be checked for minimum qualification. Applicants deficient in one or more qualifications or requirements or making false statements on their application will be notified of their disqualification. Applicants will also be notified of the appeals right available to them. No further processing of the deficient application will occur.
- F. Applicants meeting the minimum qualifications and submitting the required documents will be notified where and when to appear for the interview.

### **SECTION III. - SELECTION PROCEDURES**

- A. The JATC shall schedule the interview 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(s) will then prepare a written summary of his/her judgement 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 shall be the responsibility of the applicant to keep the JATC informed of his/her current mailing address and phone number.
- F. Selected applicants must respond to the notice of selection within forty-eight (48) 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 places 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 they were on the ranking list will be required to reapply.
- H. 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 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 occupations 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 the Apprenticeship Standards, who meet the minimum qualification 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 at the discretion of the JATC 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 shall be done without regard to race, color, religion, national origin, or sex.
- B. Honorably discharged US Military Veterans, or currently serving US National Guard Members 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 Masonry Industry, may be given direct entry into the apprenticeship program. The JATC shall evaluate the military training received for granting appropriate credit on the term of 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 apprenticeship program. Entry of Military Veterans

shall be done without regard to race, color, religion, national origin, or sex. Military veterans who are registered with the Helmets to Hardhat program will be given the utmost consideration with regards to direct entry into the apprenticeship programs.

- C. An employee of a nonsignatory employer not qualifying as a journeyworker when the employer becomes signatory, will be evaluated by the JATC, and 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 determined by the JATC 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.)
  
- D. 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 nonsignatory employer and does not qualify as a journeyworker will be evaluated in accordance with the procedures for the granting of previous credit 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 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 work in the masonry industry prior to signing the authorization card.
  
- E. An employee of a non-participating employer who becomes a new member employer of the sponsoring organization who does not qualify as a journeyworker when the employer becomes a member, may be evaluated by the Sponsor 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.)***

- 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 journeyworker and does not qualify as a journeyworker, may 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.

## **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 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 these 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, shall be maintained in such a manner as to permit the identification of minority and women (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 judgement. Records shall 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 NAME OF JATC] hereby officially adopts these Selection Procedures on this \_\_\_\_\_ Day of **(INSERT MONTH/YEAR)**.

\_\_\_\_\_  
**SIGNATURE OF JATC CHAIRPERSON**

\_\_\_\_\_  
**(PRINTED NAME)**

\_\_\_\_\_  
**SIGNATURE OF JATC SECRETARY**

\_\_\_\_\_  
**(PRINTED NAME)**

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