Overview

The Federal Highway Administration requires all state transportation agencies, including the Ohio Department of Transportation (ODOT), establish and support On-the-Job training (OJT) apprenticeship programs. All Prime Contractors on active federally-funded projects administered by ODOT must make Good Faith Efforts (GFEs) to employ and prepare women, minorities, and disadvantaged individuals for journey-level positions.

Such opportunities ensure that a skilled workforce is available to meet highway construction hiring needs, and to address the historical under-representation of these groups in highway construction skilled trades.

Prime Contractors and subcontractors are required to submit monthly Work Hour Reports (Ohio DAS Input Form 29 – aka I29) for their total workforce within the State of Ohio. Each calendar year, ODOT runs a report from the annual I29 results to determine which Prime Contractors on active federally-funded projects met their annual OJT apprentice goal. GFEs reports are required by Prime Contractors not meeting their OJT apprentice goal, even if the contractor qualifies for the Business Size Exemption (≤ $39.5 million in receipts) and is not required to have an approved OJT Apprentice Program.

Prime Contractors are required to keep track of their GFE-related activities throughout the year and provide an annual report of their efforts to ODOT. Additional information on the GFEs reporting process will be provided through the ODOT Division of Opportunity, Diversity, & Inclusion website.
### Examples of GFEs

Prime contractors will be asked a series of questions in a GFE questionnaire. Examples of questions that will be asked include:

<table>
<thead>
<tr>
<th><strong>Outreach events</strong></th>
<th>Did the Prime Contractor attend outreach/recruiting events to increase women, minorities, and disadvantaged persons in the workplace?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Outreach contacts</strong></td>
<td>Which agencies, professional/trade groups, job fairs, training classes, minority and women organizations, were contacted in order to recruit minorities, women and disadvantaged persons in your workplace? Provide dates and names of the individuals contacted through this process.</td>
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<tr>
<td><strong>Current employees</strong></td>
<td>Has the contractor connected with current minority, female, and disadvantaged employees to gain referrals on other minority, female, and disadvantaged applicants?</td>
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<tr>
<td><strong>Company recruitment database</strong></td>
<td>Does the contractor have a database or spreadsheet of minority, female, and disadvantaged applicants who want to work at the company? Did the contractor utilize the database in order to recruit and hire minorities, women, and disadvantaged persons?</td>
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<tr>
<td><strong>Employment applications</strong></td>
<td>How are employment applications received? Are applications received at the project site or at the contractor’s office?</td>
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<tr>
<td><strong>Employee promotions</strong></td>
<td>Were minorities, women, and disadvantaged unskilled workers promoted into the skilled classifications when possible? How many promotions did the contractor offer this year and how many promotions were offered to minorities? How many promotions were offered to women? How many promotions were offered to disadvantaged persons?</td>
</tr>
<tr>
<td><strong>Workforce needs</strong></td>
<td>Did the contractor have the opportunity to hire additional employees in 2019? If so, provide details. Was the contractor able to increase diversity with the employees hired in 2019?</td>
</tr>
<tr>
<td><strong>Trainees</strong></td>
<td>Did the contractor recruit and hire college interns or employees in a company-sponsored (non-apprentice) training program? Trainees are not included in the OJT Apprentice goal calculation.</td>
</tr>
</tbody>
</table>
Work location - In what location(s) do your employees perform work (city/state)?

Type of work - What type of work does the contractor primarily perform (list skilled trades)?

Request to union hall - If the contractor is unionized and did not meet the OJT apprentice goal, was a request submitted to the union hall? What communications were made to the union hall to receive additional apprentices?

Request to ApprenticeOhio - If the contractor is non-union and above the $39.5 million threshold, and did not meet the OJT apprentice goal, does the contractor have an apprentice program registered with ApprenticeOhio? If not, was contact made with ApprenticeOhio to set up a program?

GFE Evaluation

ODOT shall determine if GFEs were made and sufficient on a case-by-case basis using fair and reasonable judgment depending on the amount of detail provided in the contractor’s GFE response. In determining whether adequate GFEs were made and/or demonstrated, ODOT will consider the quality, quantity, and intensity of the efforts the contractor made, as well as the circumstances that may have impacted the contractor’s ability to obtain OJT Apprentices.

The criteria ODOT will use to determine if GFEs were made include the following:

- The extent that women, minorities, and disadvantaged persons are available within a reasonable area of recruitment
- The potential resources for effective training and recruitment
- Duration of the contract
- Dollar value of the contract
- Total normal work force that the average bidder could be expected to use
- Geographic location
- Type of work
- The need for journey level individuals in the area
Corrective Action Plan

A notice of Non-Compliance will be provided to the contractor from ODOT when the contractor has neither:

1. Achieved its apprentice goal nor submitted GFE documentation by the deadline date determined by ODOT

   OR

2. Submitted GFE documentation but failed to adequately explain the reasons why it was unable to achieve the training goal.

If a Notice of Non-Compliance is provided from ODOT, the contractor will be required to submit a Corrective Action Plan to ODOT which explains the deficiencies and outlines the actions it will undertake to prevent future recurrence.

In such an instance, if the Corrective Action Plan is approved by ODOT, the Contractor will be considered in compliance with the OJT Program. If a contractor fails or refuses to submit a Corrective Action Plan to ODOT within 30 calendar days of receiving the Notice of Non-Compliance, the Contractor will be considered in non-compliance with the OJT Program. Additional detail about corrective action plans is explained in the OJT Program Plan in Section 12.