WELCOME

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Office of Business & Economic Opportunity
AGENDA

- Quick review of what was covered in the last webinar
  - Why does ODOT have an OJT program?
  - What is an apprentice?
  - Federal regulations for the OJT Apprentice Program

- OJT apprentice goal review

- How to calculate progress toward the OJT apprentice goal

- *UPDATE* Business Size Threshold - Receipts Exemption

- Good Faith Efforts (GFE) reporting

- OJT Apprentice goal for 2020

- Questions and follow up
WHY DOES ODOT HAVE AN OJT PROGRAM?
WHY DOES ODOT HAVE AN OJT PROGRAM?

- Federal dollars are used for heavy highway projects.
  - Federal dollars must be used equitably in all Federal-aid highway construction projects
  - It is the policy of the FHWA to require full utilization of all available training and skill-improvement opportunities to assure the increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry.
  - It’s the right thing to do.
WHAT IS AN APPRENTICE?
WHAT IS AN APPRENTICE?

- An apprentice is a person who receives on-the-job training (OJT) in the construction trades through an apprenticeship program registered with the US Department of Labor, Bureau of Apprenticeship and Training or with a State of Ohio apprenticeship agency recognized by the Bureau of Apprenticeship and Training.
The OJT program has been developed in accordance with 23 CFR 230, Appendix B to Subpart A (Training Special Provisions)

- ODOT administers a customized version of the Federal OJT program
OJT APPRENTICE GOAL REVIEW
7.6% was the ODOT OJT apprentice goal for 2019.
7.19% is the ODOT OJT goal for 2020.

ODOT pre-qualified prime contractors on ACTIVE federally-funded projects receive an email each month detailing progress toward the goal:

- All pre-qualified prime contractors (regardless of size) receive the email
- Data only includes apprentices reported through the I-29. The data that is recorded in the I-29 is what is counted toward the goal. If data is incorrect, contact the Department of Administrative Services, Equal Opportunity Division:
  
  - 4200 Surface Road
    Columbus, Ohio 43228
    Phone: 614-466-8380
    Fax: 614-728-5628
    Email: eod@das.ohio.gov

- Trainees should not be included in the data
OJT APPRENTICE GOAL REVIEW

- Ad hoc (unapproved) training programs do not count toward OJT apprentice goal calculation.

- Trainees can be recorded on the I-29 (College interns or ad-hoc company sponsored programs) but trainees do not count toward the OJT apprentice goal calculation. Trainees can also be counted towards GFES.
INPUT FORM 29/1-29 FORM: A Work-Hour Report required by the Ohio Department of Administrative Services to be submitted monthly by all prime contractors and subcontractors performing on state or state assisted contracts in the State of Ohio.

Input Form 29 (129) - Work Hour Report

**Purpose:**
All prime contractors and subcontractors are required to submit a monthly work hour report to include the contractor's total workforce (private and public work hours) within the State of Ohio. The Input Form 29 must be electronically submitted by the tenth of each month, beginning with the contract award of a state or state assisted construction contract and continuing until the prime contractor or subcontractor completes performance of the contract.

**Applicability: All Prime Contractors and Subcontractors**
Effective Sept. 1, 2007, all prime contractors and subcontractors performing on state or state assisted construction contracts must submit an Input Form 29 regardless of the number of employees employed by the company or state contract amount.

**Frequently Asked Questions:**
Why is my company required to submit work hours performed on my private jobs, as well as my public jobs? 
The State of Ohio is required to collect the contractor’s total workforce information while the company is working on a state or state assisted construction contract per Ohio Administrative Code 123:2-9. This includes work hours performed on all projects in the State of Ohio.

Is my company required to submit an Input Form 29 even though the company shuts down for the winter months and will resume work on a state project in the spring?
Yes. A report must be submitted for each month the contractor has a state or state assisted contract, regardless. However, you will enter "No" to the following question on the form for each month your business does not have a field workforce. Does your company have any work hours to report this month?

Submit an Input Form 29
**[Instructions for submitting application through OIBG]**
HOW TO CALCULATE PROGRESS TOWARD THE OJT APPRENTICE GOAL
The OJT Percentage is determined by adding cumulative data each month (for each contractor) from January 2020, and applying the formula below:

OJT Percentage formula:

$$\frac{\text{Total Apprentice Hours}}{\text{(Total Apprentice Hours} + \text{Total Journeymen Hours})}$$

- Trainees are not included
- All data entered into the I-29 will be counted toward the goal
- Apprentices must be reported as apprentices on the I-29 (in order to get credit)
- Do not report apprentices as trainees or journeymen
*UPDATE* - BUSINESS SIZE THRESHOLD - RECEIPTS EXEMPTION
ODOT rolled out the business size exemption based on feedback we received from the small non-union contractors.

After the last webinar, it was determined ODOT couldn’t move forward with the exemption after discussions with FHWA.

The exemption won’t be a part of the GFE reporting process.

Small contractors will need to work with ODOT to develop an action plan for creating an apprentice program. More information on this will follow.

Complete good faith efforts if your company did not meet the goal.

https://odot.formstack.com/forms/gfe_submission
GOOD FAITH EFFORTS
GOOD FAITH EFFORTS (GFE) REPORTING

Website for GFE submittal will be communicated after the start of 2020

GFE information will be Collected via Formstack.
### 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>Outreach events</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>Outreach contacts</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>
</tr>
<tr>
<td>Current employees</td>
<td>Has the contractor connected with current minority, female, and disadvantaged employees to gain referrals on other minority, female, and disadvantaged applicants?</td>
</tr>
<tr>
<td>Company recruitment database</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>
</tr>
<tr>
<td>Employment applications</td>
<td>How are employment applications received? Are applications received at the project site or at the contractor’s office?</td>
</tr>
<tr>
<td>Employee promotions</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>Workforce needs</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>Trainees</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>
GOOD FAITH EFFORTS (GFE) REPORTING

GFEs are to be evaluated on a case-by-case basis

<table>
<thead>
<tr>
<th>Work location - In what location(s) do your employees perform work (city/state)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of work - What type of work does the contractor primarily perform (list skilled trades)?</td>
</tr>
<tr>
<td>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?</td>
</tr>
<tr>
<td>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?</td>
</tr>
</tbody>
</table>

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 plans will be provided to contractors who do not submit GFE documentation by the deadline date.

OR

Fail to adequately explain why the training goal was not met.
Submit Good Faith Efforts (GFEs) Here:

https://odot.formstack.com/forms/gfe_submission

Good Faith Efforts must be submitted by March 1, 2020
Your company will receive an emailed letter indicating if the goal was met and next steps
- If the goal was met – no action needed
- If the goal was NOT met – the information in the link above must be completed
OJT APPRENTICE GOAL FOR 2020
The OJT goal for 2020 is 7.19%

Data for the OJT goal is pulled from the entire population of projects - Primes, Subs, and all ODOT projects (federal, state, local, and privately funded) are included in the calculation. Primes that meet the criteria presented today are held accountable to the OJT goal. Trainee hours are not included in the goal calculation.

*total work hours = apprenticeship and journeymen hours.

**2020 goal is based off of the hours entered for 2018, 2017, and 2016
Clarification on what counts toward the goal
(this information is different from what was explained in October)

- Any data a prime contractor enters into the I-29 will be counted toward the goal.
- Data on all federal, state, local, and privately funded projects are counted since that information is entered into the I-29.
QUESTIONS AND FOLLOW UP