

VOLUNTARY ON THE JOB (OJT) TRAINING PROGRAM

CONTRACTORS' GUIDELINES

These guidelines, along with the attachments, are excerpts from the Standard Operating Procedures of the Office of Equal Opportunity. Included are the following forms which are referenced in the guidelines.

- 1) CR 1 Report (Formerly the HRD-3) - Attachment A
- 2) Trainee Certification Forms - Attachment B1

It is our intent to clarify the administrative procedures, as accepted by the Federal Highway Administration, of the OJT Program. If you need assistance or have questions, please contact one of the District EEO Contract Coordinators listed on the attached telephone list.

OBJECTIVE

Training and upgrading of minorities, women and disadvantaged persons toward journey person status is the primary objective of the Voluntary On-The-Job Training Special Provision. The program is set up to allow and encourage contractors' voluntary reporting, and commitment to individual trainees while reducing overhead costs for contractors and ODOT. It gives contractors the opportunity to enhance their short and long term work force needs by providing contractors with well-trained employees.

In addition, "It is the policy of the Federal Highway Administration (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 highway construction industry..."¹

HIGHLIGHTS OF THE PROGRAM

- ✓ The new OJT program is not project or contract specific.
- ✓ Tracking will be on an annual basis
- ✓ All contractors (prime or sub) are eligible to participate in the program if they are involved in at least one Federal-Aid construction project contract with ODOT
- ✓ Training is permitted on any contract held by the contractor whether or not it is Federally funded. This includes public and private work.
- ✓ Major reduction in the number of reports submitted to ODOT
- ✓ No monetary reimbursement by ODOT
- ✓ Credit for Good Faith Effort
- ✓ Improved culturally diverse workforce
- ✓ Qualified workforces through retention

¹ Code of Federal Regulations, Title 23, Part 230.107(b). Revised as of April 1, 1987.

TRAINEE ELIGIBILITY

The contractor will be credited for each trainee employed by him or her who is currently enrolled or becomes enrolled in an approved program. Training and upgrading of minorities and women toward journey person status is a primary objective of the OJT Program. Accordingly, the Contractor will make every effort to enroll minority trainees and women (e.g., by conducting systematic and direct recruitment through public and private sources likely to yield minority and women trainees) to the extent that such persons are available within a reasonable area of recruitment. The contractor will be responsible for demonstrating the steps that he or she has taken in the pursuance thereof, prior to a determination whether the contractor is in compliance with this Training Special Provision and the EEO laws as stated in 23 CFR Pt. 230, Subpart C, App. A. This training commitment is not intended, and will not be used to discriminate against any applicant for training, whether a member of a minority group or not.

1. No employee will be employed as a trainee in any classification in which he or she has successfully completed a training course leading to journey person status or in which he or she has been employed as a journey person. The contractor should satisfy this requirement by including appropriate questions in the employee's application or by other suitable means. Regardless of the method used, the contractor's record should document the findings in each case.
2. Contractors should take affirmative action to recruit minorities, females, and disadvantaged persons to fill the OJT slots and will maintain documentation of such efforts.
3.
 - a) Contractors will submit documentation to support the disadvantaged status of a trainee other than a minority or female upon the request of the Civil Rights/Equal Opportunity Coordinator, Office of Quality.
 - b) Final determination as to whether a person is socially or economically disadvantaged will be made by ODOT and FHWA on a case-by-case basis, as defined in Appendix C - Subpart D, Part 23, Title 49 of the Code of Federal Regulations.
 - c) An individual who is not minority, female or disadvantaged will be considered only after the contractor submits documentation of its recruitment efforts to locate a minority, female or disadvantaged person.
 - d) If ODOT determines affirmative action efforts were not undertaken by the contractor, the individual in question will be disapproved for participation in the OJT Program.

TRAINING REQUIREMENTS

1. The minimum length and type of training for each classification will be as established in the training program selected by the contractor.
2. Each trainee must have a training program approved by ODOT.
3. Contractors conducting the training must be involved in at least **one (1)** Federal project per calendar year in order to get FHWA training credits.
4. All OJT trainees must be approved by the District EEO Contract Coordinator in which the trainee begins work.

CONTRACTOR'S REPORTING REQUIREMENTS

1. **CR 1 Report** (formerly HRD-3) will be completed, on each trainee, at the start of training and at the finish of training or at the end of the year, whichever comes first.
 - a) CR1 reports are to be submitted to the ODOT District in which the trainee started employment with the contractor. If the trainee begins his or her second year in a new District, the contractor will submit the second year CR1 to the new District.
 - b) When completing the CR1 report, the contractor must provide information for all of the questions on the form. The contractor should note under the remarks section of the report any explanations regarding a trainee's start date, termination, replacement, etc. The contractor may contact the District EEO Coordinator if there are any questions.
2. **Training Programs** (Laborer's or In-House only) are to be submitted to the ODOT District EEO Contract Coordinator's office located in the District where the trainee started employment.
3. **Laborer Trainee/Apprenticeship Certificates** must be submitted to the ODOT District EEO Contract Coordinator in order to get FHWA training credit.

TRAINING OPTIONS

1. The contractor may elect to train a trainee in more than one skill (as defined by the FHWA) in order to provide the trainee with maximum training opportunity.
2. An OJT trainee may train on ANY contract held by the contractor (public or private).

TRAINEE RETENTION

A primary objective of the OJT Program is to aid contractors in building a diversified, qualified, well-trained, and reliable workforce. The contractor should satisfy this requirement by including appropriate questions in the employee's application or by other suitable means which identify minority, female and disadvantaged applicants who can develop into full journey persons. The contractor will make every effort to retain trainees as a part of the company's permanent work force.

GOOD FAITH EFFORT

Participation in the Voluntary On-The-Job Training Program demonstrates good faith effort.

All contractors are encouraged to participate.