



FFY2022



# On-the-Job Training (OJT) Program

Rhode Island Department of Transportation

<a href="#">Glossary</a> .....	4
<a href="#">Welcome Letter</a> .....	4
<a href="#">Organization Chart</a> .....	8
<a href="#">OJT Program Announcements and Updates</a> .....	9
<a href="#">Advisory Committee</a> .....	10
<a href="#">Introduction and Background</a> .....	10
<a href="#">Nondiscrimination Authorities</a> .....	11
<a href="#">RIDOT’s On-The-Job Training Program Goals</a> .....	13
<a href="#">Hybrid Program Defined</a> .....	13
<a href="#">Acceptable Training</a> .....	13
<a href="#">Assigning Training Goals and Schedules</a> .....	14
<a href="#">On-the-Job Training Credit</a> .....	17
<a href="#">Contractor Documentation</a> .....	17
<a href="#">On-the-Job Training Trainee Eligibility</a> .....	17
<a href="#">Contractor-Trainee Responsibilities</a> .....	19
<a href="#">Recruitment</a> .....	19
<a href="#">Demonstrating Good Faith Efforts</a> .....	19
<a href="#">Participant Assessment</a> .....	22
<a href="#">Registration</a> .....	22
<a href="#">Orientation</a> .....	22
<a href="#">Supervision</a> .....	22
<a href="#">Work Hours</a> .....	22
<a href="#">Trainee Monthly Progress Reports</a> .....	23
<a href="#">Termination</a> .....	23
<a href="#">Certificates of Completion</a> .....	23
<a href="#">Change of Status</a> .....	24
<a href="#">Wage Structure</a> .....	24
<a href="#">Reimbursement</a> .....	24
<a href="#">Retention</a> .....	25
<a href="#">How Does RIDOT Evaluate Contractor Compliance?</a> .....	25
<a href="#">Evaluating Good Faith Efforts</a> .....	25

<a href="#"><u>Trainee Interviews</u></a> .....	26
<a href="#"><u>Non-Compliance Procedures and Sanctions</u></a> .....	26
<a href="#"><u>Equal Employment Opportunity Supportive Services</u></a> .....	26
<a href="#"><u>RIDOT Supportive Services</u></a> .....	27
<a href="#"><u>Building Futures</u></a> .....	27
<a href="#"><u>External Resources</u></a> .....	27
<a href="#"><u>Conclusion</u></a> .....	30
<a href="#"><u>Appendix A: On-the-Job Training Special Provision</u></a> .....	31
<a href="#"><u>Appendix B: Criteria for Approval of Non-US DOL Recognized Training Programs to Fulfill On-the-Job Training Requirements</u></a> .....	38
<a href="#"><u>Appendix C: Training Program Contractor Responsibilities</u></a> .....	39
<a href="#"><u>Appendix D: Acknowledgment and Statement of Compliance (TR0) &amp; Contract On-the-Job Training Proposal (TR1)</u></a> .....	40
<a href="#"><u>Appendix E: RIDOT Training Annual Plan</u></a> .....	43
<a href="#"><u>Appendix F: Sample Letter to Recruitment Source</u></a> .....	45
<a href="#"><u>Appendix G: Trainee Registration Form (TR2)</u></a> .....	46
<a href="#"><u>Appendix H: Trainee Monthly On-the-Job Training Hours (TR5)</u></a> .....	47
<a href="#"><u>Appendix I: Follow-up Employee Site Interview Questionnaire</u></a> .....	49
<a href="#"><u>Appendix J: On-the-Job Training Work Breakdown Structure (WBS)</u></a> .....	51
<a href="#"><u>Appendix K: RIDOT Office of Civil Rights’ Organizational Chart</u></a> .....	53

## Glossary

**Annual Training Plan** - Before being awarded a USDOT-assisted contract, contractors must have an annual training plan approved by the U.S. Department of Labor or RIDOT and the respective USDOT agency. The plan must indicate current and projected Federal-Aid Projects (FAP's) for the current calendar year, the trades proposed in which to perform the On-The-Job Training specification in the contract, the number of trainees, hours assigned to the trade, and the estimated beginning work date for the trainee/apprentice.

**Apprentice** - A person participating, through employment, in an approved schedule requiring not less than 2,000 hours of on-the-job work experience supplemented by related instruction and who is a part of an apprenticeship agreement registered with the Council

**Apprenticeship Training Program** - Means any program approved under 23 CFR CH 1, §230.111(f) (1) and (f) (2). Apprenticeship programs approved by the U.S. Department of Labor as of the date of proposed use by a federal-aid highway contractor or subcontractor need not be formally approved by the State highway agency or the Federal Highway Administration Division Administrator.

Such programs, including their minimum wage provisions, are acceptable for use, provided they are administered in a manner reasonably calculated to meet the contractor's equal employment opportunity (EEO) obligations. Other training programs approved by the U.S. Department of Labor as of the date of proposed use by a federal-aid highway contractor or subcontractor are also acceptable for use without the formal approval of the State highway agency or the division Administrator provided:

- i. The U.S. Department of Labor has approved the program aspects relating to EEO and the payment of trainee wage rates instead of prevailing wage rates.
- ii. They are reasonably calculated to qualify the average trainees for journey worker status in the classification concerned by the end of the training period.
- iii. They are administered in a manner calculated to meet the equal employment obligations of the contractors.

**Banking Hours** - Trainee man hours assigned to individual contracts.

**Certificate of Completion** - Upon satisfactory completion of the On-the-Job term of apprenticeship and the required hours of related and supplemental instruction have been met; the employer shall recommend to the approval agency that a State Certificate of Completion be awarded. The sponsor will be provided with a Rhode Island State Apprenticeship Council (SAC) application for certification. It will be accompanied by proof of related technical instruction that the SAC has approved.

**Contractor** - Any person, corporation, partnership, or unincorporated association holding an FHWA direct or federally assisted construction and/or consultant contract or subcontract regardless of tier, including material suppliers and vendors

**Department** - The Rhode Island Department of Transportation.

**Equal Employment Opportunity Officer** - An individual designated by a contractor who will be responsible for and must be capable of effective administration and promotion of an active contractor program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

**Equal Opportunity and Equal Employment Opportunity Requirements** - A general term used throughout this manual to denote all civil rights-based contract provisions relative to nondiscrimination in selection and retention of subcontractors, materials suppliers or vendors, equal employment opportunity training, DBE contracting opportunities

**Good Faith Effort (GFE)** - Affirmative action measures implemented to meet the established intent and objectives of the equal opportunity provisions of the contract (see FHWA Form 1273 Section II 4a-4c "Recruitment and 6a-6d Training and Promotion").

**Journey worker** - A person capable of performing all the duties within a given job classification or craft.

**Minority** - An individual who appears to belong, or is regarded in the community as belonging, to generally recognized racial/ethnic minority groups in the U.S., identified as African Americans, Hispanics, Native Americans, Asian-Pacific Americans, and Subcontinent Asian and Pacific Americans.

**New Hire** - An individual whom the firm has employed for six months or less. This would include anyone who has been working for the firm for six months or less. It also means someone whom a firm hired specifically to be a trainee on this project.

**Related Instruction** - An organized and systematic form of instruction designated to provide the apprentice with knowledge of their trade's theoretical and technical subjects.

**Disadvantaged Individuals** - Refers to veterans and/or individuals currently participating of any government assistance program, for low-income individuals, administered by the RI Department of Human Services.

**State Transportation Agency (STA)** - The department, commission, board, or official of any state charged with the responsibility for highway construction (a current term which replaced "State Highway Agency").

**Supportive Services** - Services provided in connection with approved On-the-Job Training programs for highway construction workers and highway contractors designed to increase the overall effectiveness of training programs through the performance of functions determined to be necessary for connection with such programs. These services are not generally considered as comprising part of the actual on-the-job training.

**Trainee** - A person receiving on-the-job training and not in a bona fide Apprenticeship Program.

**Trainee Man Hours** – Estimated number of training hours that STA used to arrive at the total bid price for the training item.

**Trainee Number** – Refers to the total number of trainees a contractor is expected to enroll in the On-the-Job Training Program that is outlined in the annual training plan.

**Veteran** – A person who served in the active military, naval, or air service discharged or released under conditions other than dishonorable.

## **WELCOME TO THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION (RIDOT) ON-THE-JOB-TRAINING (OJT) PROGRAM!**

The Rhode Island Department of Transportation (RIDOT) Office of Civil Rights (OCR) is committed to non-discrimination in the implementation, administration, and promotion of all programs, activities, and services. In consideration of other federal Equal Employment Opportunity (EEO) requirements, RIDOT's On-the-Job-Training Program (OJT) is an Equal Employment Opportunity Program targeting women, minorities, and disadvantaged individuals for entry into journey-level positions to ensure that a competent workforce is available to meet highway construction hiring needs, and to address the historical under-representation of members of these groups in highway construction skilled crafts.

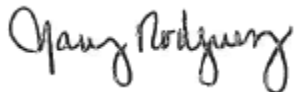
The primary objective of RIDOT's OJT Program is to provide meaningful training opportunities for minorities, women, and disadvantaged individuals, and to promote the upgrading of trainees toward journey-level status in the highway construction industry. RIDOT's OCR is committed to working closely with contractors to ensure direct recruitment of trainees through public and private sources likely to yield minority, women, and disadvantaged trainees to the extent that such persons are available within a reasonable area of recruitment. Contractors are also expected to promote and encourage the participation of minority, women, and disadvantaged employees in the OJT Program if the training program offered would serve to upgrade their current employment status.

RIDOT has established procedures per the Federal Highway Administration (FHWA) On-the-Job Training program and 23 CFR 230.11 for the implementation of the On-the-Job Training special requirements to determine appropriate numbers of trainees and hours to be trained on selected projects. These special requirements appear as Training Special Provisions (TSP) and are designated to federally assisted construction contracts.

To support contractors with the TSP on selected projects, RIDOT OCR has prepared this OJT Manual for guidance. We hope that you will find the information contained in it comprehensive and helpful as you carry out the training requirements specified in your contract. Please note that this training commitment is not intended, and shall not be used, to discriminate against any applicants for training, whether a member of a minority group or not.

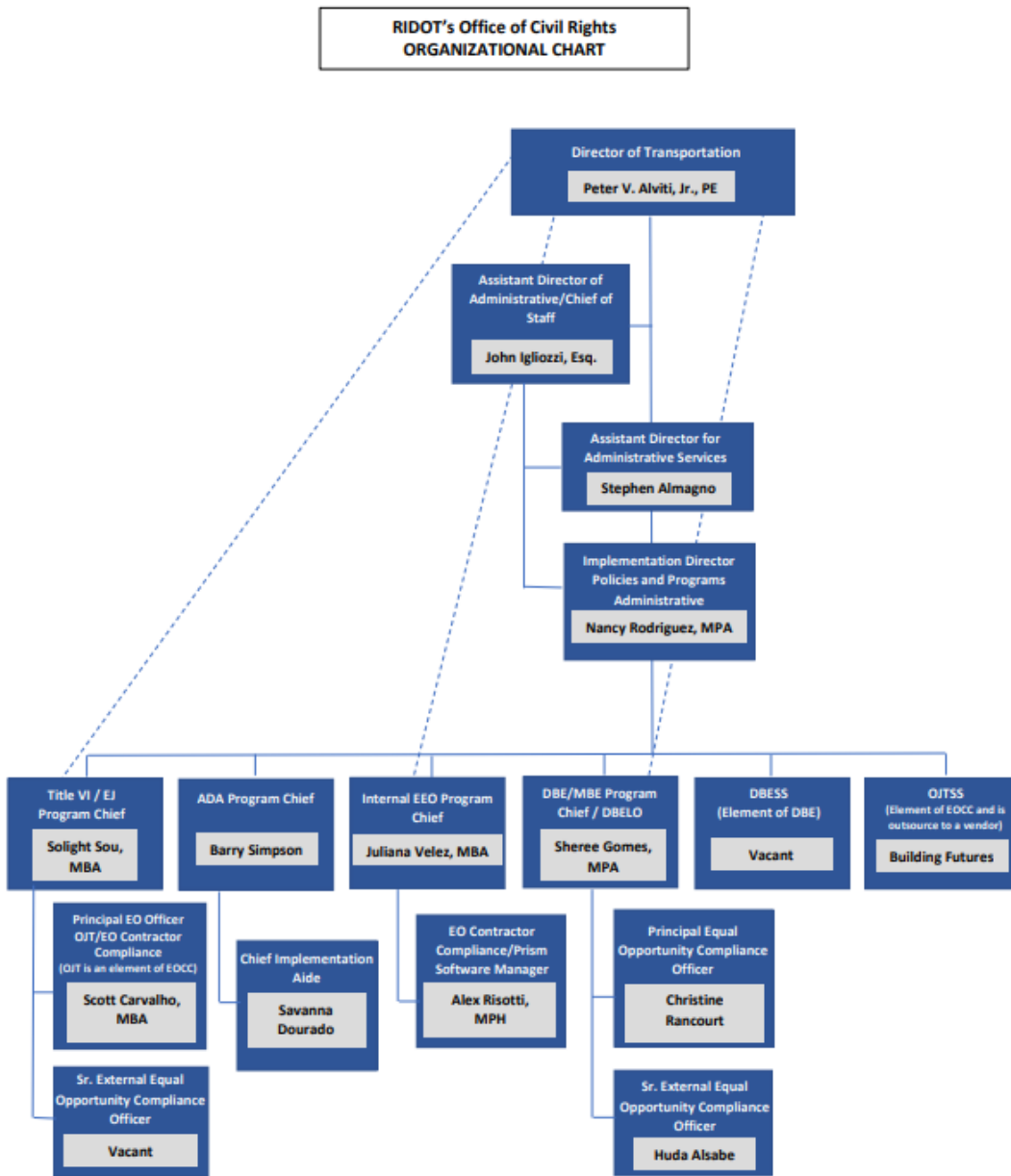
For any questions regarding the On-the-Job-Training Program, please do not hesitate to call the OCR at 401-563-4456. We sincerely look forward to our partnership towards training America's future construction workers.

Sincerely,



Nancy Rodriguez, MPA  
Administrator, Office of Civil Rights

# RIDOT'S OFFICE OF CIVIL RIGHTS ORGANIZATIONAL CHART



## OJT Program Staff

- Scott Carvalho, Principal External Equal Opportunity Compliance Officer
  - [Dot.OJT@dot.ri.gov](mailto:Dot.OJT@dot.ri.gov)
  - 401-563-4629

## OJT Program Announcements and Update

To keep contractors informed of the latest OJT policies, the Rhode Island Department of Transportation (RIDOT) has updated its OJT program manual for 2022. This manual informs contractors working on RIDOT federally assisted highway construction projects how to implement the OJT Program and how RIDOT will monitor the program. The manual will assist contractors with complying with federal mandates ensuring non-discrimination in hiring, employment, and training. The manual also outlines expected practices to help contractors train women, minorities, and disadvantaged persons in the highway construction industry.

Given the update to the RIDOT On-the-Job Training Program Manual, hereafter referred to as the "OJT Manual," RIDOT requests the following:

- All prime contractors and subcontractors working on federally assisted projects that include OJT requirements download a copy of the OT Manual on RIDOT's website under the "Doing Business with Us" Icon, "Civil Rights / ADA" drop-down, Major Program Areas, and On-the-Job Training Tab at: [http://www.dot.ri.gov/documents/about/civilrights/OJTProgram\\_Guidelines.pdf](http://www.dot.ri.gov/documents/about/civilrights/OJTProgram_Guidelines.pdf).
- Each contractor must designate someone within their company as the person primarily responsible for the administration and coordination of the OJT Program, starting now referred to as the "Equal Employment Opportunity (EEO) Officer." The name and title of this designated officer must be submitted to the RIDOT OJT Compliance Officer as part of the annual OJT program plan update and whenever there is a change in personnel for the EEO Officer position.
- All employees (both office and field employees) involved with the company's training program should obtain a copy of the OJT Manual to familiarize themselves with the procedures and guidelines.

## Advisory Committee

RIDOT intends to initiate an OJT Stakeholder Advisory Committee to assist in making improvements to the OJT program. Federal and industry partners and community-based organizations will be invited to participate.

The purpose is to develop policy recommendations to guide future statewide OJT planning by reviewing trends, needs, issues, and opportunities that would benefit all involved.

## Introduction and Background

The Federal-Aid Highway Act of 1968 includes a special section devoted to promoting and ensuring Equal Employment Opportunity (EEO) in the field of Federal-Aid highway construction. This Act passed by Congress outlined how the incorporation of equal opportunity legislation and regulations would be accomplished and reiterated that the inclusion of these provisions reflected the congressional commitment to developing an effective EEO program.

Under this Act, the inclusion of an approved affirmative action plan became a critical element in the pre-qualification of contractors for federal aid projects. This Act identified the training as one specific area of Equal Employment Opportunity.

This On-The-Job Training Manual will provide contractors involved in the Rhode Island Department of Transportation (herein referred to as "RIDOT") federally assisted construction projects and charged with implementing and monitoring the OJT Program with a user-friendly guidebook. The OJT Program is a tool to ensure non-discrimination in hiring, employment, and training and to meet the goals of training and retaining women, minorities, and disadvantaged persons in the highway construction industry.

Under the Job Training Partnership Act of 1982, training was identified as a tool to fulfill affirmative action obligations. This Act permitted contractors to establish or participate in training programs for eligible individuals designed to assist such contractors in meeting specified affirmative action obligations. It sets forth requirements for such training programs and directed the Director of the Office of Federal Contract Compliance Programs to promulgate regulations for the affirmative action compliance review of such training programs. It permitted such contractors to maintain an abbreviated written affirmative action program and provided that successful performance or operation of such a training program shall create a presumption that a Good Faith Effort (GFE) to meet affirmative action obligations has been made.

The training procedures contained in this manual have been developed for use by firms doing business with RIDOT. Firms may develop or submit their program plans but must submit them to RIDOT for their federal transportation agency approval. All OJT Programs approved for use will embody the objectives of fairness and equity as required by the Code of Federal Regulations 23 CFR Chapter 1, Subpart C, and Section 230.307, which states:

*“Every employee and representative of State Highway Agencies shall perform all official equal employment actions in an affirmative action manner and in accord with the applicable statutes, executive orders regulations and policies enunciated there under, to assure the equality of employment opportunity, without regard to race, color, religion, sex, or national origin both in its own workforce and in the workforces of contractors, subcontractors and material suppliers engaged in the performance of federal-aid highway construction contracts.”*

## Nondiscrimination Authorities

The authorities applicable to the RIDOT’s OJT program include:

### **Title VII of the Civil Rights Act (1964)**

Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment and was passed to bring equality in hiring, transfers, promotions, compensation, access to training, and other employment-related decisions.

### **Form FHWA-1273**

Contractors are required to have an OJT program. According to Form FHWA-1273, section II.6 (b), Training and Promotion, consistent with the contractor's workforce requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance.

### **Title 49, Code of Federal Regulations, Part 21**

Title 49, Code of Federal Regulations (CFR), Part 21 of the USDOT Regulations of the implementation of Title VI require assurances from states that no person on the grounds of race, color, or national origin is excluded from participation, denied the benefits of, or in any other way subjected to discrimination under any program or activity for which the recipient receives assistance from the USDOT, including the FHWA.

### **Title 49, Code of Federal Regulations, Part 26**

Title 49, Part 26 defines and identifies socially and economically disadvantaged individuals as those who have been subject to racial, ethnic, or gender-based prejudice or cultural bias within American society. The social disadvantage must stem from circumstances beyond the individual's control and asserts recipients may assess this on a case-by-case basis.

### **Title 23 CFR 230**

The provisions of 23 CFR 230 apply to all state transportation agencies that receive federal financial assistance in connection with the Federal-aid Highway Program. Subpart A requires the establishment of the on-the-job training program and on-the-job training supportive services program.

## RIDOT's On-The-Job Training Program Goals

The goals of the RIDOT OJT Program are as follows:

- The primary objective of the OJT Program is to train minorities, women, and disadvantaged persons in highway construction classifications.
- To provide tools for a training program that contractors may utilize for meeting their requirements for an approved, active training program administered in an equal opportunity manner, as described in FHWA 1273 "Supplemental Provisions—Required Contract Provisions Federal Aid Construction Contracts."
- To utilize the training program to meet the federal requirements for training on Federal-Aid Highway Construction Projects, as described in 23 CFR Part 230 and as outlined in the "Specific Equal Employment Opportunity Responsibilities and the Training Special Provision" (TSP) within the contracts (Appendix A).

## Hybrid Program

Per the new approved specifications for the Training Special Provision, RIDOT'S On-the-Job-Training program is a hybrid of both *project-specific* and *contract-based* FHWA programs.

**Project Specific:** OJT goals are assigned to specific federal-aid contracts. Goals are to be met by the project's substantial completion date. Trainees must be enrolled under the specific project to meet its contract's TSP requirement. All training hours attained by the trainee will be applied toward the project's OJT goal.

**Contractor-Based:** Registered and approved OJT trainees are permitted to work among multiple RIDOT projects when necessary. However, all worked training hours will be applied toward meeting the specific project's OJT goal in which the trainee was enrolled.

Contractors will be assigned trainee hours and number of trainees for each contract.

## Acceptable Training

RIDOT recognizes three types of on-the-job training programs:

### 1. Formal Apprenticeship Programs

Registered apprenticeship and On-the-Job Training (OJT) programs registered with the Bureau of Apprenticeship, U.S. Department of Labor and/or the R.I. Department of Labor & Training (RIDLT). The RIDLT administers apprenticeship programs in compliance with federal regulations that the U.S. Department of Labor has issued. These programs are automatically acceptable to fulfill the OJT contract requirements.

### 2. RIDLT On-the-Job Training Programs

RIDLT's training program includes a list of job classifications covered, a training hour format for each job classification, a sample enrollment form, sample exit documents (graduation certificate and/or termination report), monitoring, and supportive services. These programs are automatically acceptable to fulfill the OJT contract requirements.

### 3. **Contractor-Sponsored Training Programs**

Firms may develop their own OJT programs and submit them to RIDOT for review according to the criteria in **Appendix B** and implemented by the Contractor according to **Appendix C**

Firms must work with the Bureau of Apprenticeship & Training (BAT) or State Apprenticeship Council's (SAC) field representatives to develop a set of apprenticeship training standards that include an on-the-job learning outline and related classroom instruction curriculum and the apprenticeship program operating procedures. The program will then be registered with RIDLT if it meets the federal requirements. All On-the-Job Training programs approved for use must embody the objectives of fairness and equity as required by the Code of Federal Regulations 23 CFR Chapter 1, Subpart C, Section 230.307. Once approved by the RIDLT, these programs are acceptable to fulfill the OJT contract requirements.

Employee compensation during training is governed by the Davis-Bacon Act and the project special provisions of the contract. For additional information on acceptable training, please refer to the Training Special Provisions included in **Appendix A**.

## **Assigning Training Goals and Schedules**

RIDOT will assign the number of hours and trainees to a contractor for the current calendar year based on:

- **FHWA project** (23 CFR 230: OJT goals only apply to FHWA projects)
- **Project Amount**
  - ≥ \$1.5 Million
- **Project Duration:**
  - ≥ 2 Seasons
  - ≥ 16 months (No winter shutdown)
- **Type of work:**
  - Significant/Meaningful training skills (see below note)

A	B	C
<b>Construction Duration</b>	<b>Goal (# Hours)</b>	<b>Goal (# Trainees)</b>
2 Seasons (16 mos.)	1300	2
3 Seasons (24 mos.)	2000	3
4 Seasons (32 mos.)	2700	4
5 Seasons (40 mos.)	3400	5
6 Seasons (48 mos.)	4100	6
7 Season (56 mos.)	4800	7
<b>Increments</b> (Upon meeting minimum criteria): <ul style="list-style-type: none"> <li>• <b>Per season (8 mos.) =700 hrs.</b> <i>(When there's mandatory shut down)</i></li> <li>• <b>Per year (12 mos.) =1000 hrs.</b> <i>(When there's no mandatory shut down)</i></li> </ul>		The # of trainees is based on the # of seasons.

**Note:** Improvement type of projects (e.g. resurfacing, striping, changing signs etc.) may not offer significant/meaningful training skills. Use the Work Scope description and the Engineers Estimate, provided by goal requestors, to determine the degree of training significance and meaningfulness involved in project, to support an OJT goal. Ask requestor for project clarification if needed.

**Significant/meaningful:** Skills that are marketable and transferrable that require training prior to be implemented. Unlike: clearing path, dumping materials, cleaning debris, removing signs etc.

At the beginning of any calendar year, RIDOT will review the following guidelines to select contracts and determine Training Special Provisions within based on the following:

- Availability of minorities, women, and disadvantaged individuals for training.
- The potential for effective training
- 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 additional journeymen in the area.
- Recognition of the suggested minimum goal for the State.
- A satisfactory ratio of trainees to journeymen expected to be on the contractor's work force during normal operations (considered to fall between 1:10 and 1:4).

Based on these factors, RIDOT will contact all contractors with active contract work to notify them of their responsibility for submitting an annual training plan to determine the number of trainees assigned for the upcoming year. At that time, the contractor shall agree with RIDOT to provide a self-imposed on-the-job training program for the upcoming federal fiscal year (Appendix E). This agreement will include a specific number of annual training goals agreed to by both parties. The number of training assignments may range from one (1) to six (6) per contractor per federal fiscal year.

If a Contractor disagrees with an annual trainee goal determination made by RIDOT, the contractor may appeal in writing to the OCR outlining the reasons they disagree and must provide evidence to support the appeal.

Office of Civil Rights  
Rhode Island Department of Transportation  
Two Capitol Hill, Room 110  
Providence, Rhode Island 02903

## On-the-Job Training Credit

Contractors may assign eligible OJT Trainees enrolled in a registered Apprenticeship or RIDOT OJT program to any construction project the contractor is a prime, including non-RIDOT projects.

Contractors may assign approved OJT Trainees to any federal-aid projects and obtain credit for OJT trainees, provided the project is a RIDOT federal-assisted project.

The contractor may allow trainees to be trained by a subcontractor provided that the contractor retains primary responsibility for meeting the training requirements imposed by this special provision. The contractor shall also ensure that the Training Special Provision is made applicable to such subcontractor. However, the contractor will only receive credit towards their annual goal for their employee trainee.

Contractors shall make every effort to meet their OJT Program annual goals by enrolling minority, women, and disadvantaged OJT Trainees to the extent that such persons are available within a reasonable area of recruitment. The underlying principle is that the contractor-based program allows contractors to transfer a trainee to another federal-aid project or/and state project.

When a Contractor cannot meet its annual training goal with minorities, women, and disadvantaged individuals, it is responsible for demonstrating Good Faith Efforts. Examples of what actions constitute Good Faith Efforts are set forth and described in the section titled “Demonstrating Good Faith Efforts” of this document.

## Contractor Documentation

- I. Before beginning any federal aid project, the Contractor must have their Affirmative Action/EEO Plan in place and on file with the Department of Administration/EEO Office. This plan should also include who has responsibilities within the business to maintain the company’s EEO/AA status, orient employees on concerns, and organize and administer the company’s On-the-Job Training Program.
- II. Before any award, the Contractor must submit the OJT Acknowledgement and Statement of Compliance form (Appendix D) to the RIDOT Office of Civil Rights (OCR) OJT Compliance Officer for review and approval.
- III. Before any award, the Contractor must submit the RIDOT Annual Training Plan (Appendix E) to the RIDOT Office of Civil Rights (OCR) OJT Compliance Officer for review and approval. The Training Plan must include a list of job classifications covered with a training hour format for each job classification. If a contractor is using a recognized apprenticeship training program, they must submit a copy of the curriculum outline for the training. For non-recognized training programs, reference, review Appendix B provides instructions on how to submit to RIDOT for approval.

## On-the-Job Training Trainee Eligibility

Trainee eligibility is limited to specific characteristics and conditions to achieve the goals of the RIDOT OJT Program. Box 1 Summarizes restricted OJT credit eligible employee history. Considering

employment history, contractors then consider demographic characteristics which emphasize women, minority, and disadvantaged individuals.

It should be noted that selecting a trainee for the OJT Program need not be a new hire. Contractors are encouraged to look within their existing workforce for any potential employees chosen for an upgrade from their current position. In today’s challenging times, contractors may find it challenging to increase staffing levels. Contractors exploring upgrading opportunities within their workforce may find this method of trainee selection more helpful in maintaining a compliant OJT Program. For a complete list of credit eligible trainee characteristics and contingencies, refer to Box 2.

<b>Box 1: Restricted Credit Eligible Employee</b>	
<b><i>Employment History</i></b>	
No person shall be enrolled for training under this program in any classification in which they have completed a training course leading to journeyman status for that classification	
No person shall be enrolled for training under this program in any classification in which they have been employed as (and paid as) an employee capable of full-fledged industry standards for that classification	

<b>Box 2: Credit Eligible Trainee Characteristics</b>	
<b><i>Demographics</i></b>	
<b>Woman</b>	<input type="checkbox"/> If Yes, expect immediate approval
<b>Minority</b>	<input type="checkbox"/> If Yes, expect immediate approval
<b>Disadvantaged Individual</b>	<input type="checkbox"/> If Yes, expect immediate approval
<b><i>Employee History</i></b>	
<b>New hire</b>	<input type="checkbox"/> If in combination with any demographics, expect immediate approval
<b>Existing employee to be upgraded</b>	<input type="checkbox"/> If in combination with any demographics, expect immediate approval
<b>Neither a woman, minority, nor disadvantaged individual</b>	<b>OJT Credit approval contingent upon demonstration and exhaustion of Good Faith Efforts</b>

## Contractor-Trainee Responsibilities

### Recruitment

Recruiting workers who are members of the targeted population for On-the-Job Training trainees is vital in the contractor's successful completion of their OJT Affirmative Action requirements. When traditional hiring methods do not yield enough women, minorities, and disadvantaged persons into the highway construction industry, the contractor is responsible for expanding the scope of their recruitment activities to increase participation by women, minorities, and disadvantaged persons.

Contractors' first line recruitment effort is contacting a Union for referrals. Contractors should be familiar with Union processes to attract, train, and place minorities, women, and disadvantaged individuals. The Department of Labor (DOL) has held that it shall be no excuse if the Union with which the contractor has a collective bargaining agreement (CBA) providing exclusive referrals fails to refer minority, women or disadvantaged employees. If the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and the special provision, such contractor shall immediately notify RIDOT. Cases such as these may indicate the need for further engagement between the contractor, Union, and RIDOT.

Based on the pre-construction and post-pre-construction process for analyzing the contractor's responsibility of recruiting a workforce that reflects FHWA standards, RIDOT provides the Contract OJT Training Proposal (TR1) (see Appendix D). This form is based on the U.S. Census's demographic data per FHWA 1392 requirements to address the underrepresentation of minorities, women, and disadvantaged persons into different highway construction classifications. RIDOT Office of Civil Rights requires that the contractor submits this Contract OJT Training Proposal as part of the pre-construction process. It is to be received by RIDOT for approval and review for the selected work classifications and training programs that the contractor will implement for their future trainees.

### Demonstrating Good Faith Efforts

Good Faith Efforts (GFE) are designed to achieve equal opportunity through positive, aggressive, and continuous result-oriented measures. In every contract requesting OJT training credit, contractors must undertake Good Faith Efforts as new trainee opportunities become available and provide adequate Good Faith Efforts documentation.

If the union cannot provide the contractor with a reasonable flow of minority and woman referrals within the time limit outlined in the collective bargaining agreement, the contractor will continue to undertake Good Faith Efforts. Through independent recruitment efforts, the contractor should fill the employment vacancies without regard to race, color, religion, sex, national origin, age, or disability; conducting and documenting Good Faith Efforts to obtain qualified minority, woman, and disadvantaged individuals. RIDOT has provided a sample letter to recruiters in Appendix E for review and dissemination.

Good Faith Efforts should address common barriers for hiring minorities, women, and disadvantaged individuals:

- Lack of awareness of employment opportunities in the construction industry

- Lack of familiarity with construction hiring practices
- Perceptions of employment in the construction industry as a "temporary" job
- Apprehensions regarding the construction site environment, including the fear of being unwanted on the job site

Given these barriers, contractors should seek candidates with knowledge, skills, ability, and experiences that may not be directly comparable qualifying experiences for training in construction job classifications. As an organization, contractors should implement practices that avoid structural Title VII discrimination practices by hiring personnel, such as prejudices and biases. Good Faith Efforts address these inequities in the construction industry. Box 2 highlights effective Good Faith Effort practices and reporting requirements.

<b>Box 2: Good Faith Efforts in Action</b>	
<b>Good Faith Efforts</b>	<b>Documentation of Good Faith Efforts</b>
<b>Job descriptions</b>	
a. Make job descriptions specific, concise, and complete <ul style="list-style-type: none"> <li>• clear job description helps address and overcome several of the barriers noted above</li> <li>• serves to tell people about the highway construction industry</li> <li>• Demystifies the skills and aptitude needed, encourages the applicant, and instructs them on how to apply</li> </ul>	<ul style="list-style-type: none"> <li>• Number of job descriptions posted</li> <li>• Number of job descriptions with language stressing "transferable skills," comparable qualifying experiences, or desirable craft areas</li> <li>• Number of new hires</li> </ul>
b. Job descriptions should stress transferable skills or aptitudes in comparable qualifying experiences or craft areas that are needed or "desirable" in applicants rather than merely indicating the kind of work to be done or equipment to be used	
<b>Distribution of Vacancy Announcements</b>	
a. Widespread distribution of any vacancy announcement and a general versus targeted outreach effort into the women, minority, and disadvantaged communities	<ul style="list-style-type: none"> <li>• Records of newspapers announcements</li> <li>• Records of newsletter submissions</li> <li>• Records of radio announcements</li> <li>• Number of mailings</li> </ul>
b. Place job advertisement announcements in newspapers, newsletter and in other publications that serve women, minority, and disadvantaged communities	
c. Mail job announcements to organizations that serve women, minority, and disadvantaged communities	
<b>Establish Relationships with Community organizations</b>	

<p>a. Contact organizations regarding vacancies, such as the Urban League, SER Jobs for Progress, Progreso Latino, Goodwill Industries, RI Dept. of Labor and Training, CCAP, BVCAP, Tri-Town, Vocational and Trade Schools</p>	<ul style="list-style-type: none"> <li>• Provide list/database of organizations</li> <li>• Records of phone calls regarding vacancies with organizations</li> <li>• Records of emails regarding recruitment with organizations</li> <li>• Records of mailings regarding recruitment to organizations</li> </ul>
<p>b. Establish a working rapport with community-based agencies that serve the women, minority, and disadvantaged communities</p>	
<p><b>Advertise</b></p>	
<p>a. Advertise job announcements on radio and television with a high volume of women, minority, and disadvantaged person ratings, utilize government access television channels, and leased access cable television programs that reach the women, minority, and disadvantaged communities</p> <p>b. Advertise job announcements on social media used commonly by women, minorities, and disadvantaged persons</p>	<ul style="list-style-type: none"> <li>• Records of radio advertisements</li> <li>• Records of newspaper advertisements</li> <li>• Records of advertisements on government access television</li> <li>• Records of Facebook announcements</li> <li>• Records of Twitter announcements</li> <li>• Records of other advertisements with specific platform</li> </ul>
<p><b>Site Visit Recruitments</b></p>	
<p>a. Visit high schools, community colleges, colleges, universities, and other technical institutions</p> <p>b. Attend career fairs where there are significant women, minority, and disadvantaged populations</p> <p>c. Conduct educational and informational workshops on the construction industry at the site of community-based agencies</p>	<ul style="list-style-type: none"> <li>• Records of visits to high schools</li> <li>• Records of visits to colleges, universities, and technical institutions</li> <li>• Records of career fair attendance</li> <li>• Records of educational workshops at community organizations</li> <li>• Records of informational workshops at community organizations</li> </ul>
<p><b>Previous Applicants and Current Employees</b></p>	
<p>a. Review and follow up on previously received applications from women, minorities, and disadvantaged persons when hiring opportunities arise</p>	<ul style="list-style-type: none"> <li>• Records of outreach to previous applicants</li> </ul>
<p>b. Upgrade minority, women, and disadvantaged unskilled workers into the skilled classifications when possible</p>	<ul style="list-style-type: none"> <li>• Number of upgraded minorities, women, and disadvantaged unskilled workers</li> </ul>

Through the implementation of Good Faith Efforts, RIDOT and Contractors can increase their chances of successfully achieving their minority, women and disadvantaged person hiring goals for federal aid projects.

## Participant Assessment

Prior to enrollment in the OJT Program, prospective participants should be screened for qualities and work experience that make them desirable trainees. After the EEO Officer receives an application from a prospective trainee, they meet in a one-on-one interview to look more closely at the specific skills and interests of the applicant. The EEO Officer may then match trainees to projects in a more meaningful way.

## Registration

The EEO officer must submit proposed OJT trainees to OCR's OJT Compliance Officer for approval through the **Trainee Registration Form** (Appendix G). Trainees may not begin training until approved by RIDOT.

## Orientation

Once approved and at the onset of training, the employer shall provide all OJT trainees/apprentices with an orientation before commencing training. At a minimum, the orientation must include the following:

- Company policies and procedures
- How to dress: steel-toe boots, bad weather gear, etc.
- Safety, including OSHA and company program(s)
- Point-of-contact for the trainee to report to and who will conduct instruction
- Knowledge of who the EEO Officer is.
- Disciplinary procedures, termination, and lay-off policies
- Point-of-contact for the trainee to notify if absent or needs to leave the worksite. (Be specific and identify company policies.)
- Method and frequency of wages paid for both on- and off-site training
- Providing participants with copies of all documents relative to their employment and training requirements, i.e., weekly training reports, signed training agreement(s), etc.

## Supervision

The trainee shall be assigned to a journey-worker, supervisor, or another knowledgeable employee who will direct, observe, and review the trainee daily.

## Work Hours

A trainee is expected to work the work week of the Contractor, including overtime.

## Trainee Monthly Progress Reports

Contractors will monitor and submit a signed **monthly progress report** (Appendix H) for each trainee to the OJT Compliance Officer regarding progress, problems, or training issues. Their immediate supervisor shall review all Trainees. The Contractors are responsible for distributing completed and signed forms to the RIDOT OJT Compliance Officer and the trainee and keeping a copy for themselves.

## Termination

Within five (5) working days of any trainee termination or resignation, the contractor must verbally notify the Resident Engineer and the OJT Compliance Officer. No enrolled trainee can be terminated by the contractor, other than for seasonal lay-off, without a counseling session by the company EEO representative to explain the reason for the lay-off. The contractor must also submit termination forms/documentation to the Resident Engineer and the OJT Compliance Officer within ten (10) working days after the termination. The OJT Compliance Officer will determine whether the contractor needs to fill this training position.

Termination results if a trainee fails to finish the training program. Termination is defined as when:

- The trainee quits voluntarily
- The trainee is fired "for cause" OR
- The trainee is retained by the contractor but taken out of the training program.

In the event of termination, RIDOT will determine if the training provided before the termination was sufficient to meet the contract's requirement or whether the contractor must enroll a replacement trainee.

## Certificates of Completion

The contractor shall furnish the trainee with a copy of the training program. The contractor shall also provide each trainee with a certificate showing the type and length of satisfactorily completed training. Procedures to award Certificates are as follows:

- Upon completion of the required training hours for the training category under which a trainee is registered, the completed documentation of training shall be reviewed by the OJT Compliance Officer and/or their representative and verified as complete

- A copy of the certificate is placed in the OJT file
- A copy is included for the contractor file

## Change of Status

For any change of status in the trainee's employment with the contractor, the latter must fill out the Trainee Status Change Form (TR6). The TR6 is to be submitted for any exit or return of the employee.

This means any:

- Voluntary quit
- Termination
- Layoff (seasonal or otherwise)
- Return to the OJT program for any reason

Per 23 CFR 230 A (B), the contractor must submit a TR6 form to the Office of Civil Rights within five (5) days of the status change.

## Wage Structure

The Contractor shall provide a weekly certified payroll to the Resident Engineer. This payroll should clearly distinguish the trainee's training hours from regular hours worked for each OJT trainee.

Trainees will be paid the trainee wages as specified in the construction contract. If the contract does not specify trainee wages, minimum trainee wages will be as follows (but not less than the current federal minimum wage).

A schedule for the payment of wages meeting the following standards shall be included:

- First half of training: At least sixty percent (60%) of the approved minimum wage (includes fringes) skilled wage rate specified in the contract of this classification.
- Third quarter of training: Seventy-five percent (75%) of the skilled wage rate specified in the contract for this classification.
- Fourth quarter of training: At least ninety percent (90%) of the skilled wage rate specified in the contract for this classification.

## Reimbursement

The contractor will be reimbursed at least six dollars (\$6.00) per hour for each hour of actual, verified training on RIDOT federal-assisted projects provided the training meets the requirements outlined in this "On-the-Job Training Program" Manual. A contractor may submit a request for additional OJT trainee man-hours where the contractor has exhausted trainee man-hours on an assigned project-specific contract. The contractor is required to submit a request to the OJT Compliance Officer at the Office of Civil Rights. Requests for approval will be considered on a case-by-case basis and granted based upon the availability of OJT funds.

## Retention

RIDOT's On-the-Job Training Program seeks to increase the number of women, minorities, and disadvantaged persons in every skill category in the highway construction industry. For this reason, the retention of trainees upon their completion of the training program and graduation is a primary goal for RIDOT's On-the-Job Training Program. Termination of women, minorities, veterans, and socially and disadvantaged persons by a contractor immediately after completion of training is an issue of concern for RIDOT and USDOT. Although the highway construction industry requires a very fluid or mobile workforce, the goal of the On-the-Job Training Program is to place women, minorities, veterans, and disadvantaged persons with companies permanently. Contractors should make every effort to encourage the graduation of On-the-Job Training participants and place and retain them permanently in the highway construction industry as part of their workforce.

## How Does RIDOT Evaluate Contractor Compliance?

The RIDOT OJT Compliance Officer reviews each OJT trainee registration form and approves or disapproves the appointment. If training is not approved, all parties must take prompt action to gain approval so that the project is not delayed.

As a component of the Agency's contract compliance monitoring process and in conjunction with RIDOT's effort to provide guidance and technical assistance during the rollout of the OJT transitional program, RIDOT may conduct unannounced OJT on-site inspections.

## Evaluating Good Faith Efforts

When a contractor fails to meet the annual training goal with minorities, women, and disadvantaged individuals, it is responsible for demonstrating the Good Faith Efforts taken to meet the goal. RIDOT will make compliance determinations regarding the OJT Program based upon either attainment of the annual goal or the GFE to complete it.

The RIDOT OJT Compliance Officer assesses Good Faith Efforts based on the documentation provided by contractors to demonstrate their Good Faith Efforts.

RIDOT may reject utilization of non-low-income, non-minority male trainees for credit toward meeting the annual goal if it determines that the contractor failed to make sufficient Good Faith Efforts. This is when the contractor was unable to document or submit evidence of its GFE to hire minorities, women, or disadvantaged trainees.

## Trainee Interviews

To determine the continued effectiveness of the RIDOT OJT Program, the department will periodically conduct personal interviews with current trainees (Appendix I) and may survey recent graduates of the program. This enables the OJT Compliance Officer to modify and improve the program as necessary. Trainee interviews are generally conducted at the job site to ensure that the trainees' work and training are consistent with the approved training program.

## Non-Compliance Procedures and Sanctions

Per the approved specifications of approved OJT Training Special Provision (TSP) (Code 943.0200), RIDOT's Office of Civil Rights has procedures in place regarding the evaluation of contractor compliance.

- I. Non-compliance with Contract's Training Special Provisions (TSP):**
  - a. Flagrant disregard in meeting the contract's TSP requirements and/or fulfilling the approved Corrective Action Plan (CAP) and/or making a GFE may result in an *unsatisfactory* performance claim being submitted to the department in charge of RIDOT's bidding process and contract awards.
- II. Non-compliance with EEO Provisions:**
  - a. The RIDOT will impose contract sanctions and initiate appropriate legal proceedings under applicable State and Federal law, if necessary, to achieve Equal Employment Opportunity on all Federal-aid highway projects.

In the event of a contractor's noncompliance with the nondiscrimination provisions stated in the contract (TSP requirements and/or EEO regulations) and after allowing a reasonable time (15 days) for corrective action to be taken, the RIDOT may, at its own discretion, impose contract sanctions including, but not limited to, the following:

- Withholding of payments to the contractor under the contract until the contractor complies.
- Cancellation, termination, or suspension of the contract, in whole or in part
- The denial of bidding privileges and the initiation of debarment proceedings in accordance with State Procedures.
- The implementation of such sanctions shall not prevent the State of Rhode Island from entering litigation to protect its interests and rights under the following applicable laws: Civil Right Act of 1964 as amended, Federal-Aid Highway Act of 1968, 1970; Americans with Disabilities Act of 1990.

## Equal Employment Opportunity Supportive Services

As a complement to the FHWA OJT Program, On-the-Job Supportive Services enhance the recruitment and training of minorities, women, and disadvantaged persons.

## RIDOT Supportive Services

OCR's efforts aim to:

- Increase the overall effectiveness of RIDOT's approved training programs
- Explore ways to increase the training opportunities for women, minorities, and disadvantaged individuals.

## Building Futures

To enhance and increase participation of women, minorities, and disadvantaged individuals in the federal-aid highway industry, RIDOT partners with Building Futures. Building Futures provides OJT Supportive Services through its pre-apprenticeship programs. Building Futures connects interested and eligible workers to the resources necessary to begin a federal-aid highway construction industry career.

Call or Text: (401) 256 - 4582 // Email: <mailto:ContractorSupport@bfri.org>

## External Resources for Potential OJT Trainees

### Community Organizations

Rhode Island Construction Training Academy	401-305-3510 EXT: 13	<a href="http://www.ricta.org/">www.ricta.org/</a>
North Atlantic States Carpenters Training Center – RI	508-792-5443	<a href="http://www.carpenters.org/training_centers/ri">www.carpenters.org/training_centers/ri</a>
Coventry Career Center	401-822-9499 EXT: 283	<a href="http://www.coventrycareercenter.com/courses/carpentry/">www.coventrycareercenter.com/courses/carpentry/</a>
RI Office of Diversity (list of sources)	401-222-6398	<a href="http://www.odeo.ri.gov/offices/hrod/partner-organizations.php">www.odeo.ri.gov/offices/hrod/partner-organizations.php</a>
Youth Build Providence RI-Job Developer	401-273-7528	<a href="http://www.ybprep.org">www.ybprep.org</a>
Progreso Latino	401-617-4212	<a href="http://www.progresolatino.org/">www.progresolatino.org/</a>
Dorcas International Institute of RI	401-784-8709 401-784-8602 401-784-8600	<a href="http://www.diiri.org">www.diiri.org</a>
Primera Iglesia de Dios	401-781-7040	<a href="http://www.primeraiglesiadedios.com">www.primeraiglesiadedios.com</a>

Algonquin House	401-781-1098	<a href="http://www.rhodeislandindiancouncil.org/">www.rhodeislandindiancouncil.org/</a>
Building Futures	401-256-4582	<a href="http://www.bfri.org/for-contractors/">www.bfri.org/for-contractors/</a>
Currahee Project		<a href="http://www.curraheeproject.org/contact/">www.curraheeproject.org/contact/</a>
Narragansett Indian Tribe-RI	401-364-1100	<a href="http://www.narragansettindiannation.org">www.narragansettindiannation.org</a>
Aquidneck Indian Council	401-683-4589	<a href="http://www.aquidneckindiancouncil.org/contacts/contactform.html">www.aquidneckindiancouncil.org/contacts/contactform.html</a>
Women's Fund of RI	401-262-5657	<a href="http://www.wfri.org">www.wfri.org</a>
RI for Community and Justice	401-467-1717	<a href="http://www.ricj.org">www.ricj.org</a>
Women Project	401-400-0061	<a href="http://www.thewomenproject.com">www.thewomenproject.com</a>
National Organization for Women - Rhode Island Now		<a href="http://www.rinow.org">www.rinow.org</a>
Olneyville Neighborhood Association	401-228-8996	<a href="http://www.ona-providence.org">www.ona-providence.org</a>
Advocates Action RI	877- 532-5543	<a href="http://www.apc.org/en/advocacy-strategies-and-approaches-overview">www.apc.org/en/advocacy-strategies-and-approaches-overview</a>
RIDLT Office of Apprenticeship/Unions regulation section	401-462-8550	<a href="http://www.dlt.ri.gov">www.dlt.ri.gov</a>

### Master Recruitment and Outreach

African Alliance of RI	401-331-5535	<a href="http://www.africanallianceri.org">www.africanallianceri.org</a>
Blackstone Valley Community Action	401-475-5071	<a href="http://www.bvcap.org">www.bvcap.org</a>
Center for Southeast Asians	401-274.8811	<a href="http://www.cseari.org">www.cseari.org</a>
Commerce RI	401-278-9100	<a href="http://www.commerceri.com">www.commerceri.com</a>
Community Action Partnership of Providence (CAPP)	401-273-2000	<a href="http://www.cappri.org">www.cappri.org</a>
EAST Bay Community Action Program	401- 847-7821 EXT: 302	<a href="http://www.ebcap.org">www.ebcap.org</a>

Genesis Center of Rhode Island	401-781-6110	<a href="http://www.gencenter.org">www.gencenter.org</a>
Goodwill Industries of Rhode Island - Vocational Resources	401-861-2080 EXT: 106	<a href="http://www.goodwillsne.org/rhode-island-campus">www.goodwillsne.org/rhode-island-campus</a>
NAACP Providence Branch	401-521-6222	<a href="http://www.naacpprov.org">www.naacpprov.org</a>
Poder 1110 WPMZ Radio	401-726-8413	<a href="http://www.tunein.com/radio/Poder-1110--1021-FM-s22002">www.tunein.com/radio/Poder-1110--1021-FM-s22002</a>
Rhode Island Department of Human Services	401-574-9264	<a href="http://www.dhs.ri.gov">www.dhs.ri.gov</a>
Ser-Jobs for Progress Inc.	401.724.1820	<a href="http://www.ser-ri.org">www.ser-ri.org</a>
South County Community Action Agency	401-789-3016 EXT: 2316	<a href="http://www.southcountycs.com">www.southcountycs.com</a>

## Conclusion

While the OJT program manual outlines all RIDOT's OJT policies and procedures, it cannot cover every situation that may arise. Don't hesitate to get in touch with the OJT compliance officers at the Office of Civil Rights should you have questions or concerns about OJT policies and procedures.

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Two Capitol Hill-Room 110  
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## Appendix A: On-the-Job Training Special Provision

CODE 943.0200  
ON-THE-JOB TRAINING  
CONTRACT TRAINING SPECIAL PROVISION (TSP)

OJT HOURS GOAL: \_\_\_\_\_  
NUMBER OF TRAINEES: \_\_\_\_\_

This On-the-Job Contract Training Special Provision (TSP) conforms to the requirements of 23U.S.C. 140(a). Training and upgrading of minorities, women and disadvantaged individuals toward journey worker status is a primary objective of this TSP.

**Minority Groups (23 CFR 230.305(2)(c)):** Individuals that appear to belong or are regarded in the community as belonging to a minority group. As defined by U.S. Federal agencies for employment purposes, minority group persons in the U.S are identified as Blacks (not of Hispanic origin), Hispanics, Asian or Pacific Islanders, and American Indians or Alaskan Natives.

(a) Minority groups (23 CFR 230.305(2)(d)). An employee may be included in the minority group to which he or she appears to belong or is regarded in the community as belonging. As defined by U.S. Federal agencies for employment purposes, minority group persons in the U.S. are identified as Blacks (not of Hispanic origin), Hispanics, Asian or Pacific Islanders, and American Indians or Alaskan Natives. (d) Racial/ethnic identification. For the purpose of this regulation and any accompanying report requirements, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one racial/ethnic category. The following group categories will be used: (1) The category White (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, the Middle East, or the Indian Subcontinent. (2) The category Black (not of Hispanic origin): All persons having origins in any of the Black racial groups. (3) The category Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race. (4) The category Asian or Pacific Islanders: All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa. (5) The category American Indian or Alaskan Native: All persons having origins in any of the original peoples of North America. (e) State means any of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands.

**Disadvantaged Individuals:** Refer to veterans and/or individuals currently participating of any government assistance program, for low income individuals, administered by the RI Department of Human Services.

As part of the contractor's equal employment opportunity and affirmative action programs, training shall be provided as follows:

A. The contractor shall provide on-the-job training aimed at developing full journey worker status in the type of trade or job classification involved.

B. The number of training hours assigned to this contract per this TSP will be xxx hours. The number of trainees to be trained under this TSP will be trainees.

C. In the event that a contractor subcontracts a portion of the contract work, he/she shall determine how many, if any, of the trainees are to be trained by the subcontractor, provided, however, that the contractor shall retain the primary responsibility for meeting the training requirements of this TSP. The contractor shall also ensure that this TSP is made applicable to such subcontract. Where feasible, 25 percent of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training.

D. The number of trainees shall be distributed among the work classifications on the basis of the contractor's needs and the availability of journey workers in the various classifications within a reasonable area of recruitment. Prior to commencing construction, at the preconstruction meeting, the contractor shall submit to RIDOT for approval a Contractor Training Proposal (TR1 form) stating the number of trainees to be trained in each selected classification and training program to be used. Furthermore, the contractor shall specify the anticipated starting time for training in each of the classifications. The contractor will be credited for each trainee employed by him/her on the contract work that is currently enrolled or becomes enrolled in an approved program and will be reimbursed for such trainees as provided hereinafter. All trainees, participating in the On-the-Job-Training (OJT) program, must be registered (TR2 form) with the Office of Civil Rights (OCR) and approved prior to starting work onsite. Unregistered trainees will not be eligible for training credit and/or training reimbursement.

### **GOOD FAITH EFFORTS**

The contractor shall make every effort to enroll minority, women, and disadvantaged trainees (e.g., by conducting systematic and direct recruitment through public and private sources likely to yield minority, women and disadvantaged trainees) to the extent that such persons are available within a reasonable area of recruitment. The contractor must furnish evidence of his/her systematic and direct recruitment efforts to the satisfaction of RIDOT prior to a determination as to whether a contractor is in compliance with the contract's TSP. These efforts are required regardless of whether the contractor is union or non-union. A contractor is not considered to have met this OJT requirement if he/she selects job classifications in the unskilled or semi-skilled positions (e.g. flaggers, laborers). This training commitment is not intended, and shall not be used, to discriminate against any applicant for training, whether a member of a minority group or not. Nonetheless, the contractor must provide to the Office of Civil Rights all documented Good Faith Efforts prior to hiring outside the OJT program's primary objective.

No employee shall be employed as a trainee in any classification in which he/she has successfully completed a training course leading to journey worker status, or in which he/she has been employed as

a journey worker. The contractor may satisfy this requirement by including appropriate questions in the employee application, or by other suitable means. Regardless of the method used, the contractor's records shall document the findings in each case.

### **ACCEPTABLE TRAINING**

The minimum length and type of training for each classification shall be as established in the training program selected by the contractor and approved by RIDOT and the Federal Highway Administration. RIDOT and the Federal Highway Administration will approve a program if it is reasonably calculated to meet the equal employment opportunity obligations of the contractor and to qualify the trainee(s) for journey worker status in the classification concerned by the end of the training period. Furthermore, apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training, or with the Rhode Island apprenticeship agency recognized by the Bureau, and training programs approved but not necessarily sponsored by the U.S. Department of Labor, Manpower Administration, and Bureau of Apprenticeship are acceptable for the purposes of this TSP.

Training will be considered acceptable provided it is being administered in a manner consistent with the equal employment obligations of Federal-aid highway construction contracts. Approval or acceptance of a training program shall be obtained from RIDOT prior to commencing work on the classification covered by the program. It is the intention of this TSP that training is to be provided in the construction crafts rather than clerk-typists or secretarial-type positions. Training in the laborer classification may be permitted provided that significant and meaningful training is provided and is approved by the division office of the FHWA. Training at other RIDOT projects is permissible as long as the training is an integral part of an approved training program. Training verification (TR3 form) from all RIDOT projects must be submitted to OCR once a month with corresponding Monthly OJT Training reports (TR5 form). Forms listed below.

### **OJT TRAINING REPORTING REQUIREMENTS**

**NOTE: RIDOT reserves the right to revise and/or rename the reporting process and forms that it requires contractors to submit to enable RIDOT to monitor OJT compliance. Contractors agree to follow the process and use the forms that RIDOT requires.**

(TR0 Form) On-the-Job-Training (OJT) Acknowledgment and Statement of Intent Compliance

(TR1 Form) Contractor Training Proposal

(TR2 Form) New Trainee Registration

(TR3 Form) Trainee Weekly Verification

(TR5 Form) Monthly OJT Hours Report

(TR6 Form) Trainee Status Change

(TR7 Form) Certificate of Training

(TR9 Form) Training Goal Reconsideration

Request Forms available to print at [http://www.dot.ri.gov/about/who/civil\\_rights.php](http://www.dot.ri.gov/about/who/civil_rights.php)

### **TRAINEES**

RIDOT's On-the-Job-Training program is a hybrid of both Project-Specific and Contractor-Based FHWA programs.

**Project-Specific:** OJT goals are assigned to specific federal-aid contracts. Goals are to be met by the project's substantial completion date. Trainees must be enrolled under the specific project to meet its contract's TSP requirement. All training hours attained by the trainee will be applied toward the project's OJT goal.

**Contractor-Based:** Registered and approved OJT trainees are permitted to work among multiple RIDOT projects when necessary. However, all worked training hours will be applied toward meeting the specific project's OJT goal in which the trainee was enrolled.

### **REIMBURSEMENT**

Except as otherwise noted below, the contractor will be reimbursed at a rate of \$6.00 per hour of onsite training provided to each trainee in accordance with an approved training program. This reimbursement will be made even if the contractor receives additional training program funds from other sources, provided such other does not specifically prohibit the contractor from receiving other reimbursement. Therefore, it is contractors' responsibility to determine if it is permissible to accept training reimbursement concurrently from other sources.

Reimbursement for offsite training will not be made to the contractor.

No reimbursement under this TSP will be made to the contractor if the failure to provide the required training, is caused by the contractor and evidences a lack of good faith on the part of the contractor in meeting the requirements of this TSP. Training invoices must be submitted to the Resident Engineer (RE) along with proof of OJT compliance (e.g. copy of the Certificate of OJT Goal Attainment (COA1), approved TR5s etc.). Contractors that failed to comply with the contract's TSP requirements will be required to contact OCR to request an OJT Good Faith Efforts Assessment (TR12 form) in order to obtain an OJT compliance determination. Contractors with a satisfactory compliance determination will be eligible for training reimbursement. Contractors with an unsatisfactory compliance determination will not be eligible for training reimbursement and may be subject to sanctions (please refer to the noncompliance procedures and sanctions section below for details).

It is normally expected that a trainee will begin training on the project as soon as feasible after start of work, utilizing the skill(s) involved, and remain on the project as long as training opportunities exist in the work classification or until the trainee has completed the training program. It is not required that all trainees be employed as such for the entire length of the contract. A contractor will have fulfilled his/her responsibilities under this TSP if he/she has provided acceptable training and number of training hours to the number of trainees specified therein. The number trained shall be determined on the basis of the total number enrolled on the contract for a significant period.

Trainees will be paid the appropriate rates approved by the Departments of Labor or Transportation.

Trainees will be paid at least 60 percent of the appropriate minimum journeyman's rate specified in the contract for the first half of the training period, 75 percent for the third quarter of the training period, and 90 percent for the last quarter of the training period, unless apprentices or trainees from an approved existing program (e.g. unions' apprenticeship programs) are enrolled as trainees on this project. In that case, the appropriate rates approved by the Departments of Labor or Transportation in connection with the existing program shall apply to all trainees being trained for the same classification covered by this TSP.

The contractor shall furnish the trainee a copy of the program he/she will follow in providing the training. The contractor shall provide each trainee with a certification showing the type and length of training satisfactorily completed.

The contractor will provide for the maintenance of records and furnish periodic reports documenting his/her performance under this TSP.

### **TRAINING GOAL RECONSIDERATION REQUEST**

Contractors that have evidence of implemented Good Faith Efforts, exerted to comply with the contract's TSP requirements, and that are having difficulty meeting the contract's OJT goal may submit a Training Goal Reconsideration Request (TR9 Form) requesting OCR to reassess the contract's OJT goal considering the provided GFE. The form must be submitted at least 30 days before the project's substantial completion date but not after the project's employment peak season. Documented GFE must accompany the TR9 form including a letter justifying the request.

Contractors who fail to submit an OJT Goal Reconsideration Request and who fail to meet the OJT goal by the project's substantial completion date will be given an opportunity to submit a Corrective Action Plan (CAP) to reallocate the unmet OJT goal hours onto another RIDOT project; however, such training will not be eligible for reimbursement. Contractors that fail to comply with the CAP will be deemed non-compliant.

### **NON-COMPLIANCE PROCEDURES AND SANCTIONS:**

#### **A. Non-compliance with Contract's Training Special Provisions (TSP):**

Flagrant disregard in meeting the contract's TSP requirements and/or fulfilling the approved Corrective Action Plan (CAP) and/or making a GFE may result in an unsatisfactory performance claim being submitted to the department in charge of RIDOT's bidding process and contract awards.

#### **B. Non-compliance with EEO Provisions:**

The RIDOT will impose contract sanctions and initiate appropriate legal proceedings under applicable State and Federal law, if necessary, to achieve Equal Employment Opportunity on all Federal-aid highway projects.

In the event of a contractor's noncompliance with the nondiscrimination provisions stated in the contract (TSP requirements and/or EEO regulations) and after allowing a reasonable time (15 days) for corrective action to be taken, the RIDOT may, at its own discretion, impose contract sanctions including, but not limited to, the following:

- Withholding of payments to the contractor under the contract until the contractor complies;
- Cancellation, termination, or suspension of the contract, in whole or in part
- The denial of bidding privileges and the initiation of debarment proceedings in accordance with State Procedures.
- The implementation of such sanctions shall not prevent the State of Rhode Island from entering into litigation to protect its interests and rights under the following applicable laws: Civil Right Act of 1964 as amended, Federal-aid Highway Act of 1968, 1970; Americans with Disabilities Act of 1990

### **CONTRACTORS' PROCEDURES**

#### **Pre-award:**

A. Before contract award of any federal aid project, the contractor must have his/her Affirmative Action Plan (AAP) in place and on file with the Department of Administration/EEO Office. Contractor must also submit its AAP directly to RIDOT, if RIDOT requests.

B. Prior to any award, the Lowest Bidder/Contractor must submit a completed and signed On-the-Job-Training (OJT) Acknowledgment and Statement of Intent Compliance (TR0 form) to RIDOT's Office of Procurement during post-qualification for review by the OJT Compliance Officer of the Civil Rights (OCR).and

C. The contractor must either use a US or RI DOL approved program or an approved training program of a recognized labor organization or trades council.

#### **Post-award:**

A. Proposed On-the-Job trainees are to be listed on the Trainee Registration enrollment form for each trainee to be employed and submitted to OCR's OJT Compliance Officer for approval. Trainees hours may not be reimbursed until the Contractor Training Proposal (TR1 form) and the New Trainee Registration (TR2 form) are reviewed and approved by RIDOT.

B. The contractor orients the training foreman, superintendent and the On-the-Job Training trainee(s) to their respective responsibilities in the program and provides copies of the training guidelines for the training job classification being used.

C. The contractor shall provide a certified payroll weekly to the Resident Engineer. This payroll should distinguish clearly the trainee's training hours from regular hours worked for each On-the-Job trainee. Certified payrolls are required to be uploaded to PRISM also.

D. The contractor will monitor and submit monthly reports (TR5 & TR3 forms) for all trainees in the program, for progress, any problems or training issues to the OJT Compliance Officer.

E. The contractor must notify the Resident Engineer and the OJT Compliance Officer in writing within 5 working days of any trainee status change such as: terminations, layoffs, resignations, etc. The contractor must also submit the status change form/documentation (TR6 form) to the OJT Compliance Officer within 10 working days after the event. Subsequent to any trainee's termination or resignation, the OJT Compliance Officer will make a Good Faith Effort determination (regarding the contractor's best efforts to replace the trainee as to whether this training position needs to be filled).

F. Contractors who assign training position(s) to subcontractors must ensure the subcontractor submits a Contractor Training Proposal (TR1 form) to the OCR. The Prime Contractor shall retain the responsibility for full compliance with OJT training requirements of the project.

G. The contractor shall furnish the trainee a copy of the program he/she will follow in providing the training. The contractor shall provide each trainee with a certification showing the type and length of training satisfactorily completed (TR7 form).

H. Once a trainee has been registered and approved by the Office of Civil Rights, the contractor, in advance, will email the Resident Engineer notifying that a specific trainee will be on the project. As part of the weekly verification of trainee hours, the contractor will be responsible to complete and submit with their certified payrolls the Trainee Weekly Verification (TR3 form) for each Trainee. The Resident Engineer will review the form, against the submitted certified payrolls and the training provided onsite and reply to the contractors' trainee officer with the signed form. On a monthly basis, the contractor must submit to the Office of Civil Rights the Monthly OJT Hours Report (TR5 form) accompanied with the completed and signed Trainee Weekly Verification forms. The OCR's OJT Compliance Officer will review the submission and document compliance. All approved documentation received from the OCR will be necessary to receive the corresponding training reimbursement.

I. Contractors will be responsible for invoicing RIDOT for the OJT training provided, and invoices must be submitted in accordance with 109.06 along with proof of OJT compliance (e.g., copy of the Certificate of OJT Goal Attainment (COA1), approved TR5s etc.). Contractors that failed to comply with the contract's TSP requirements will be required to contact OCR to request an OJT Good Faith Efforts Assessment (TR12 form) in order to obtain an OJT compliance determination. Contractors with a satisfactory compliance determination will be eligible for training reimbursement. Contractors with an unsatisfactory compliance determination will not be eligible for training reimbursement and may be subject to sanctions (please refer to the noncompliance procedures and sanctions section above for details).

Helpful links: RIDOT Contract Compliance and OJT Manual  
[http://www.dot.ri.gov/business/contractor\\_compliance.php](http://www.dot.ri.gov/business/contractor_compliance.php)

## Appendix B: Criteria for Approval of non-US DOL Recognized Training Programs to Fulfill On-the-Job Requirements

The training plan must be in writing and, at a minimum, must contain or meet the following criteria:

- I. Training classification and trainee selection
  - a. The classification of work must be commonly recognized.
  - b. Trainees shall not have more than 2000 hours of prior experience in related work or have previously participated in more than two (2) training programs pursuant to fulfilling the TSP requirements on a RIDOT contract.
  - c. The selected training classification and race/gender of the OJT candidate should serve to achieve the workforce utilization goals in the construction crafts, as stated in the contract's OJT Special Provision. By exception, contractors may be permitted to employ individuals and training classifications (i.e., assistant project managers, estimators, etc.) to fulfill training requirements where there is evidence that all efforts to recruit minorities and women in the construction crafts have been exhausted.
  - d. Existing employees can be enrolled provided there is evidence that the proposed wages and completion of training serve to advance the individual's employment status and an increase in wages.
  - e. A detailed job description that lists tasks and processes pertinent to the position for which training will be provided.
- II. Supervision
  - a. The contractor shall give assurance and designate an experienced first-line supervisor to administer all phases of training.
- III. Wages
  - a. For work on-site, the training classification must be listed on the approved wage decision covering the project or submitted for approval through the US DOL Conformance Process (via SF- 1444). For classifications of work not performed on the project site, the approving RI DOT official will determine whether the proposed wages are commensurate with industry practice.
- IV. Schedule of Payment Standards
  - a. A schedule for the payment of wages meeting the following standards shall be included: At least 60% of the approved minimum wage (incl. fringes) must be paid for the first half of training; at least 75% shall be paid in the third quarter and at least 90% in the last quarter.
- V. Period of training
  - a. The training term shall be no less than 2,000 hours and shall not exceed 4,000 for non-apprenticeship positions. Hours for apprenticeship positions may exceed 4000 hours when they are predetermined and approved by the DOL.

## Appendix C: Training Program Contractor Responsibilities

All programs submitted in writing to RIDOT require they must contain or meet, at a minimum, the following criteria as referenced in 23 CFR 230.11 listed below:

- I. Registration
  - b. Proposed OJT trainees are to be listed on the trainee registration enrollment form and submitted to OCR's OJT Compliance Officer for approval.
  - c. Trainees may not begin training until the approved by RIDOT.
- II. Orientation
  - d. The Contractor orients the training foreman, superintendent, and the OJT trainee(s) to their respective responsibilities in the program and provides copies of the training guidelines for the training job classification being used.
- III. Payroll Monitoring
  - e. The Contractor shall provide a certified payroll weekly to the Resident Engineer. This payroll should clearly distinguish the trainee's training hours from regular hours worked for each OJT trainee.
- IV. Trainee Monitoring
  - f. The Contractor will monitor and submit monthly reports for all trainees in the program, for progress, any problems or training issues to the OJT Compliance Officer.
- V. Trainee Resignation Notification
  - g. Within 5 working days of any trainee termination or resignation, the Contractor must notify the Resident Engineer and the OJT Compliance Officer verbally.
  - h. Within 10 working days after the termination, the Contractor must also submit termination forms/documentation to the Resident Engineer and the OJT Compliance Officer. The OJT Compliance Officer will determine if this training position needs to be filled.
- VI. Subcontractor Monitoring
  - i. Contractors who assign training position(s) to subcontractors must be sure the subcontractor has an approved On-The-Job Training Plan on file with the OCR. The Prime Contractor shall retain the responsibility for full compliance with OJT training requirements of the project.
- VII. Trainee Certificates
  - j. The contractor shall furnish the trainee a copy of the program they will follow in providing the training
  - k. The contractor shall provide each trainee with a certificate showing the type and length of training satisfactorily completed.

## Appendix D: Acknowledgment and Statement of Compliance (TR0) & Contract On-the-Job Training Proposal (TR1)

### On-The-Job Training Acknowledgement & Statement of Compliance

<b>RI Contract #</b>			
<b>Contract Name</b>			
<b>Prime Contractor</b>			
<b>Contract OJT Goals</b>			
<b>OJT Hours</b>		<b># of OJT Trainees</b>	

This contractor has reviewed the OJT training requirements (Training Special Provisions) stated in the named contract. Based on these requirements we acknowledge the following:

- This contractor is responsible for submitting an executed *Contractor's Training Proposal* (Form TR1) to the Office of Civil Rights at the pre-construction meeting for approval.
  - This contractor must submit a *Trainee Registration* (Form TR2) to RIDOT Office of Civil Rights, for approval, prior to a trainees' start of work on site.
  - This contractor must include approved trainee's job classification in all contract payrolls.
  - This contractor must submit the *Trainee Status Change* (TR6 form) to inform project Resident Engineer and RIDOT OCR of any changes in trainee status within 10 days of event occurring.
  - This contractor must provide *Trainee Weekly Verifications* (TR3 forms) to project RE throughout the entire life of the project.
  - This contractor must notify RIDOT project personnel, **daily**, of the presence of trainees at the worksite.
- This contractor must submit *Monthly OJT Hours* reports (TR5 form) to OCR to qualify for training reimbursement.
  - This contractor must provide trainee(s) with a *Certificate of Completion* (TR4 form) with the type and amount of training hours when completed.
  - This contractor must abide to corresponding journeyman/trainee ratio.
  - This contractor must provide trainee the skills corresponding to the approved training classification.
  - This contractor must fully abide to contract's Training Special Provision regulating project mentioned above.
  - This contractor must comply with the Training Special Provision requirements (OJT goal) by the contract's substantial completion date.

Contractor's EEO Officer (Name & Signature)	Date
RIDOT OCR Representative (Name & Signature)	Date

### Instructions for Completing the Contract On-the-Job Training Proposal (TR1)

1. As part of the post-qualification process and before construction, the contractor must complete the OJT Training Acknowledgement & Statement of Compliance form.
2. The contractor must provide project-specific information such as the contract name and Rhode Island contract number (RIC).
3. The contractor must acknowledge that it has reviewed the OJT training requirements (Training Special Provisions) stated in the contract for the RIDOT project by inserting the company name.
4. The contractor must indicate the name of the training/apprentice program and submit a copy of the training program. The training program must be considered adequate under the OJT Training Special Provisions (see Appendices XX).
5. Provide training classification, the number of trainees in classification, projected start date, and no later than start date for start for the anticipated trainee. Provide information regarding current workforce demographics in the trades listed, e.g., construction supervisors, construction foreperson, equipment mechanics, equipment operators, grade foreman assistance, ironworker, laborers, and truck drivers.
6. The completed form may be emailed to [dot.ojt@dot.ri.gov](mailto:dot.ojt@dot.ri.gov).
7. Submit the original form to the OJT Compliance Officer for review and approval. One copy of the completed form will be sent to the Resident Engineer (for projects records), and one copy will be retained by the contractor in each individual trainee's/apprentice's file.
8. All the above forms are available on RIDOT's website under the "Doing Business with Us" Icon, Civil Rights/ADA drop-down, and listed under the "Quick Links" as the "Contractor Compliance Manual."



## Contract OJT Training Proposal

(23 C.F.R. PT 230, Subpart A, App B.)

**Instructions:** Completed TR1 must be submitted to RIDOT Office of Civil Rights (OCR) for approval, within 10 calendar days of the contract NTP date. In the event a training plan needs to be updated, an amended TR1 with attached formal written request may be submitted to RIDOT OCR for approval. Workforce table should be contract specific and reflect the current workforce at the time of submission.

Contractor Name	Contract OJT Goal- Hours
RI Contract Number	Contract OJT Goal-Trainees

CONTRACT WORKFORCE TABLE											
Classification	Total Employees	Female	Hispanic or Latino	American Indian or Alaskan Native	Black or African American	Asian, Native Hawaiian or Pacific Islander	Total Minorities	Minority %	Female %	Minority representation above 3.1%? Y/N	Female representation above 6.9%? Y/N
Const. Foremen							0	#DIV/0!	#DIV/0!		
Carpenters							0	#DIV/0!	#DIV/0!		
Equip. Operators							0	#DIV/0!	#DIV/0!		
Equip. Mechanics							0	#DIV/0!	#DIV/0!		
Ironworkers							0	#DIV/0!	#DIV/0!		
Laborers							0	#DIV/0!	#DIV/0!		
Truck Drivers							0	#DIV/0!	#DIV/0!		
Electricians							0	#DIV/0!	#DIV/0!		
Painters							0	#DIV/0!	#DIV/0!		
Cement Masons							0	#DIV/0!	#DIV/0!		
Comments											

**It is the intent of this firm to provide training in the following classifications:**

*Classification	# of Trainees	# of Hours per Trainee	Rate of Pay *Wage %	Fringes	Date Trainee is Expected to Begin to Work	<b>IMPORTANT:</b> Training must be distributed amongst all classifications, particularly those with a low minority and/or female representation. Contractors may propose a split classification when applicable, however training plan to address split classification must be attached to TR1 submission. In the event, a contractor proposes a well-represented classification over an under represented classification, written justification must be attached.  * If a trainee is enrolled in an apprenticeship program, enter the union wage percentage (%) corresponding to trainee training level.
<b>Total</b>	0	0				

Submitted by:	Title:
Signature:	Date

RIDOT OCR USE ONLY			
Approved	<input type="checkbox"/> YES <input type="checkbox"/> NO	Approved by	
Comments		Date	

## Appendix E: RIDOT Training Annual Plan

### Instructions for Completing RIDOT Annual Training Plan

1. OJT Compliance Officer will distribute RIDOT Annual Training Plan to all prime contractors before the start of the construction season.
2. Provide current and projected Federal-assisted projects (FAP) for the construction season (e.g., current FAP projects and upcoming 2022-2023 construction season). Indicate the contract number, job description, percentage of completion, and labor cost.
3. Provide anticipated trainees for the construction season. Indicate trainee name, classification/craft, percentage of training already completed, and start date.
4. Under circumstances where the contractor cannot identify a specific trainee for training, the contractor may enter to be determined (TBD) under the heading name for trainees. However, the contractor must indicate the anticipated trainee number for each classification.
5. The contractor is obligated to provide the annual number of trainees, including classification/craft expected to enroll in the On-the-Job Training Program for the upcoming construction season, including the start date.
6. The completed form will be submitted to the Office of Civil Rights, On-the-Job Training Program, 2 Capitol Hill, Room 110, Providence, RI 02903. The form may also be emailed to [dot.ojt@dot.ri.gov](mailto:dot.ojt@dot.ri.gov).
7. The original form will be sent to the OJT Compliance Officer, and the contractor will retain one copy.
8. All the above forms are available on RIDOT's website under the "Doing Business with US" Icon, Civil Rights/ADA drop down and listed under the "Quick Links" as the "Contractor Compliance Manual". <http://www.dot.ri.gov/business/contractorcompliance.php>.



## Appendix F: Sample Letter to Recruitment Source

(Date)

Dear **(Agency Representative)**,

As a government contractor, (name of contractor) must comply with the training special provisions and other existing laws related to Equal Employment Opportunity (EEO). Part of our commitment to EEO is to take affirmative action to ensure that they recruit job seekers, consider job applicants for employment opportunities, and treat employees without regard to their race, color, religion, sex, and national origin.

To achieve our goal of equal opportunity, we maintain an affirmative action program through which we take Good Faith Efforts to recruit, hire and advance in employment qualified minorities, women, disadvantaged persons, and veterans. We would appreciate the (recruitment Source) assistance in (name of contractor) efforts to achieve its affirmative action and equal opportunity goals.

Therefore, we request that the (recruitment source) refer qualified minorities, women, veterans, and disadvantaged persons for available positions at (name of contractor). We have enclosed a list of our current employment openings to enable the (recruitment source) to identify better-qualified applicants, including the project's location, duration, type of pay, and targeted crafts.

Although, we specifically have requested that (recruitment source) refer minority group members, disadvantaged persons, women, and veterans. (Name of contractor) welcomes referrals of all qualified applicants regardless of their race, color, religion, sex, national origin, or status as a protected veteran.

Your assistance in referring all qualified candidates will help us achieve our commitment to Equal Employment Opportunity. To identify potential trainees, please acknowledge receipt of this letter by (date). Thank you in advance for your cooperation.

Sincerely,

EEO Officer

Cc: Enclosure

# Appendix G: Trainee Registration Form (TR2)



## New Trainee Registration

FHWA-1273; 29 CFR 5.16; 23 CFR 230 App B, Subpart A

**Instructions:** Registration form must be submitted to RIDOT OCR for each NEW proposed enrollee prior to their start date with copy of DLT Program Registration & Apprenticeship Agreement or card. trainee apprenticeship registration agreement and/or card must be attached. If a portion of the OJT goal was subcontracted out, the Prime Contractor is required to submit this form for approval on behalf of the subcontractor. Documented Good Faith Efforts (TR11) must be submitted, if registering trainee outside of identified under-represented groups. RIDOT OCR approval is required prior to trainee(s) starting onsite work.

### CONTRACT INFORMATION

RI Contract Number \_\_\_\_\_  
 Contract Name \_\_\_\_\_  
 Contractor Name \_\_\_\_\_  Prime Contractor  Subcontractor

### APPROVAL IS REQUESTED TO PROVIDE TRAINING FOR THE APPRENTICE/TRAINEE NAMED BELOW

Trainee Name \_\_\_\_\_ Phone Number \_\_\_\_\_  
 Trainee Address \_\_\_\_\_ Gender \_\_\_\_\_  
 Ethnicity  White\*  Asian\*  American Indian or Alaskan Native\*  Two or More Races  
 Black/African- American\*  Hispanic or Latino  Native Hawaiian or Other Pacific Islander\*  
 DLT Apprenticeship ID # \_\_\_\_\_ Disadvantaged (as defined in TSP)  Yes  No  
 Trainee Status  New Hire  Upgrade Classification \_\_\_\_\_  
 Training Type  Apprentice  On-the-Job Trainee (OJT) Prior Work in Proposed Classification?  Yes  No  
 If apprentice, current percentage level \_\_\_\_\_ If yes, please explain \_\_\_\_\_  
 Prior OJT Trainee?  Yes  No Anticipated Start Date \_\_\_\_\_

\*Not Hispanic or Latino

### PREVAILING WAGES

Trainee Starting Rate			Classification Journeyman Rate	
Percentage Level	Hourly Wage	Fringes	Hourly Wage	Fringes
0%				

By signing below, I attest to the following:

I have not completed, nor am I enrolled in any other training program leading towards journeyman status in the classification named above (other than approved apprenticeship program). Additionally, I have not been employed as a journeyman in the classification for which I am being considered.

\_\_\_\_\_  
 Trainee Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Submitted by \_\_\_\_\_ Title \_\_\_\_\_  
 Signature \_\_\_\_\_ Date \_\_\_\_\_

## Appendix H: Trainee Monthly OJT Hours (TR5)

### Instructions for Submitting Monthly Training Report

1. Name of Contractor for this project
2. RIC Contract Number and Project Name
3. Date for trainee period
4. Full name of apprentice/trainee
5. Last four digits of apprentice/trainee's social security number
6. Craft/Classification – As specified in the contract (e.g., Carpenter, Laborer, Ironworker, etc.)
7. Address, City, State, and Zip Code of apprentice/trainee
8. Provide the total number of training hours to complete the apprentice/trainee program, year-to-date number of hours completed, and estimated number of hours this trainee will receive on this project.
9. If the company does not have trainees, provide any modification of the approved RIDOT Annual Training Plan since the last submitted report. Include new contract awards, new trainees, the progress of each RIDOT contract, including the percentage completed of each contract.
10. Provide trainee remarks such as absence, tardiness, early dismissal, status progress, etc.
11. Provide trainee status, e.g., working, lay-off, or other.
12. If the assigned contract's OJT hours are completed and the contractor wishes to allocate those trainee hours to a different contract, simply note the RIC desired RIC number.
13. This report is due within ten (10) days from the end of the reporting period.



**Monthly OJT Hours**  
23 C.F.R Pt.230, Subpt. A, App.B

**Instructions:** This report is due within 10 calendar days from the end of the month being reported. It must be emailed to the Office of Civil Rights with corresponding approved trainee weekly time sheets (TR3s). **Please specify in the remarks area what contract OJT goal would you like to apply this period training hours.**

CONTRACTOR INFORMATION					
Reporting Month and Year					
Reporting Period From			To		
Contractor Name			Trainee Enrolled Under RIC #		
Trainee Name			Trainee Classification		
Trainee Hours this period			Trainee Hours Year to Date		
Trainee Status					
<input type="checkbox"/> Actively Working		<input type="checkbox"/> Laid-off (enter date)		<input type="checkbox"/> Other (see comments)	
Contract Type		Training Provided		OCR Use ONLY	
Prime	Sub	RI Contract Number E.g. 2015-AB-051	Training Hours Applied to Contract	TR3 RE Reviewer	Concurring TR3s?
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<b>Total Hours</b>					
Comments					
Submitted by (name)					
Signature and Title				Date	
RIDOT Office of Civil Rights Use ONLY					
<input type="checkbox"/>		Approved TR2 on file		Training Reimbursement Authorized	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>		Corresponding TR3s attached			
<input type="checkbox"/>		TR5 in compliance			
OCR Staff				Date	
Comments					
Construction Management Use ONLY					
Resident Engineer			Date Paid		
Reimbursement Paid		<input type="checkbox"/> Yes <input type="checkbox"/> No		Progress Payment #	
Comments					

# Appendix I: Follow-up Employee Site Interview Questionnaire



## Rhode Island Department of Transportation Follow-up Employee Site Interview Questionnaire

\*\*\*\*\*

Date: \_\_\_\_\_ Job Site: \_\_\_\_\_ OJT Representative: \_\_\_\_\_

Company Name: \_\_\_\_\_ Project Number: \_\_\_\_\_

Employee Name: \_\_\_\_\_ Date of Hire: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Job Classification: \_\_\_\_\_ Wage Rate: \_\_\_\_\_

Who is your supervisor? \_\_\_\_\_ Has it changed since your last interview? \_\_\_\_\_

Have Your Benefits (i.e. health, dental, vacation, retirement fund, etc.) changed?  
 Yes  No  
If yes, what benefits? \_\_\_\_\_

Are you receiving training as proposed to you for the position you were hired?  
 Yes  No

Is your training program progressing as you expected?  Yes  No  
If no, explain. \_\_\_\_\_

Which of the following describes your work status?  Journeyed  OJT (Trainee)  
Describe what you do on a day-to-day basis: \_\_\_\_\_  
\_\_\_\_\_

What new skills are you learning on this job? \_\_\_\_\_

Have you worked for this contractor on any other jobsites?  
 Yes  No  
If yes, where and at which location(s)? \_\_\_\_\_

Do you expect to be laid off during the winter months?  
 Yes  No  
Were you unemployed/laid off for more than 3 months during the last construction season?  
 Yes  No  
If yes, explain. \_\_\_\_\_

\_\_\_\_\_

Do you have any issues about safety on the job? \_\_\_\_\_

Do you any questions or concerns regarding the training you are receiving?

Yes  No

If yes, please explain \_\_\_\_\_

How are the bathroom facilities? \_\_\_\_\_

Are they accessible?  Yes  No

Are you experiencing any sexual harassment on the job?  Yes  No

If yes, have you filed a complaint?  Yes  No

Have you ever witnessed anything of a discriminating or harassing nature, or anything that made you or others feel uncomfortable or unwelcome, from other employees or supervisors on the job site?

Yes  No

If yes, please explain \_\_\_\_\_

If yes, was any corrective action taken? \_\_\_\_\_

Overall, do you feel that you are treated fairly without regard to your sex, race, age, sexual orientation, or national origin?

Yes  No

Explain \_\_\_\_\_

Have you ever received a pay raise from your employer?  Yes  No

From \$ \_\_\_\_\_ to \$ \_\_\_\_\_ When?

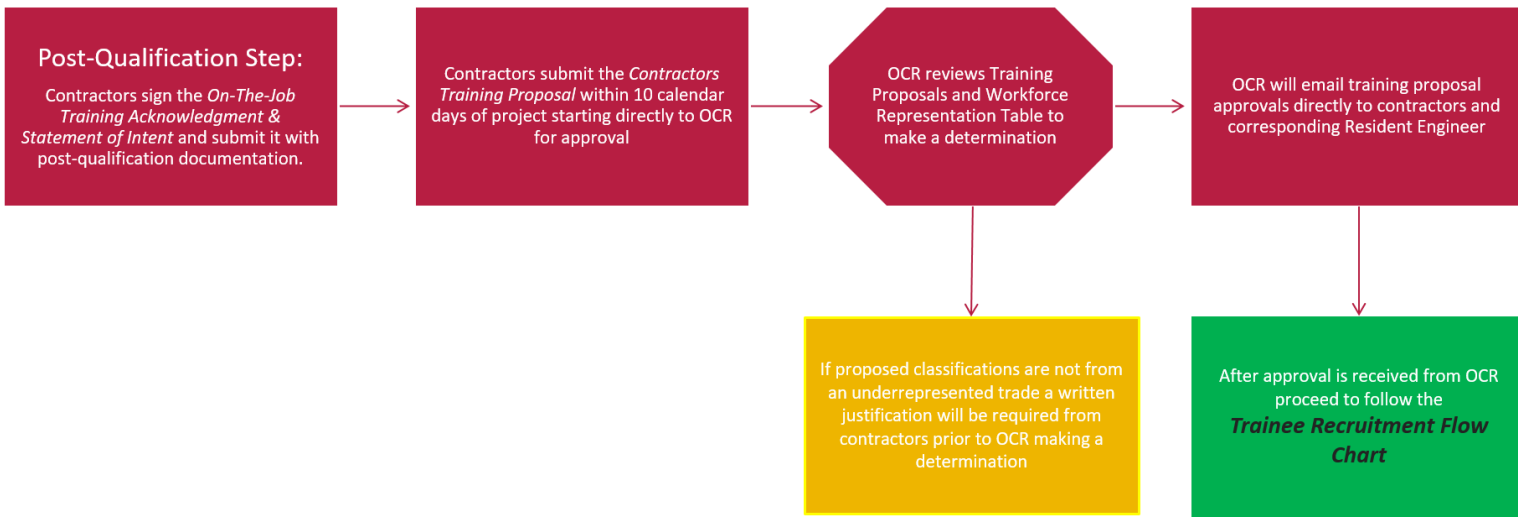
Is there anything else you would like to add? \_\_\_\_\_

\_\_\_\_\_  
**OJT Representative**

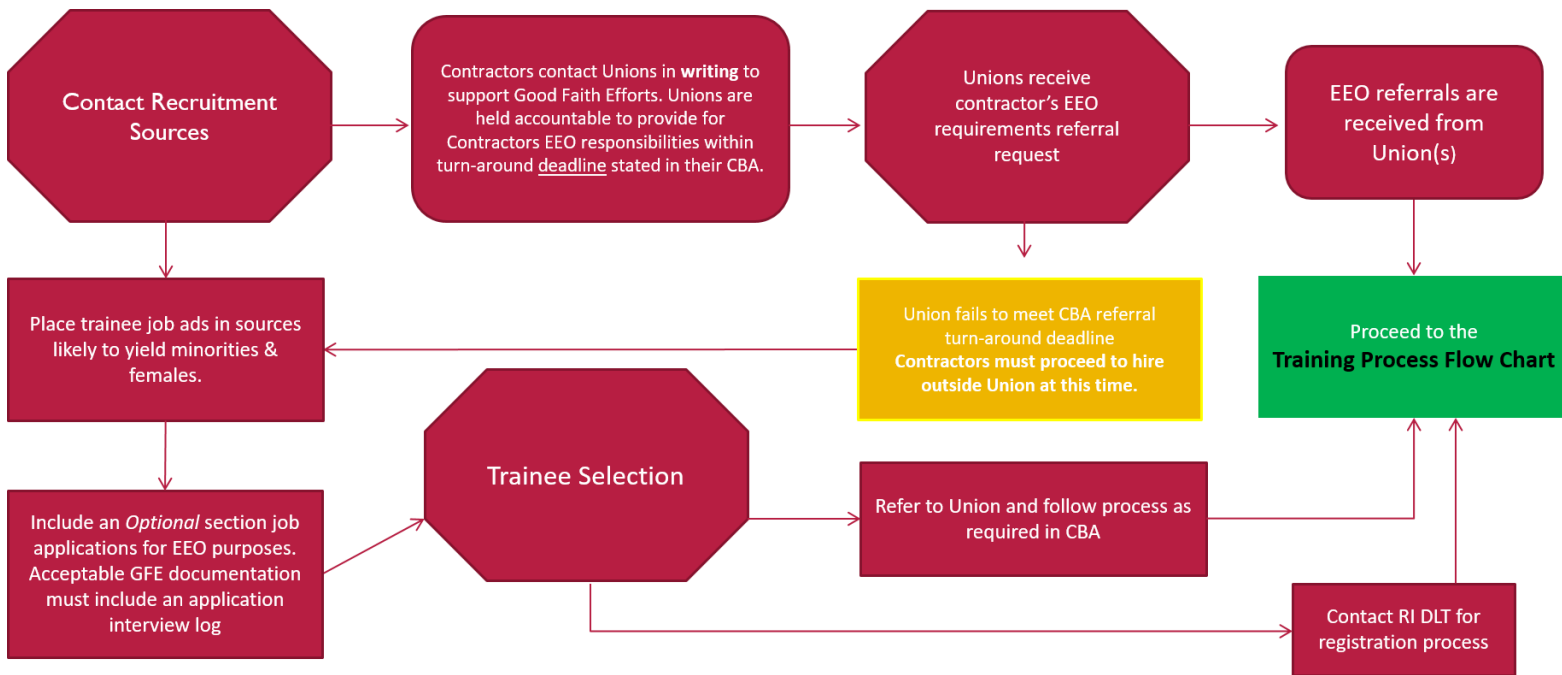
\_\_\_\_\_  
**Date**

# Appendix J: OJT Training Work Breakdown Structure (WBS)

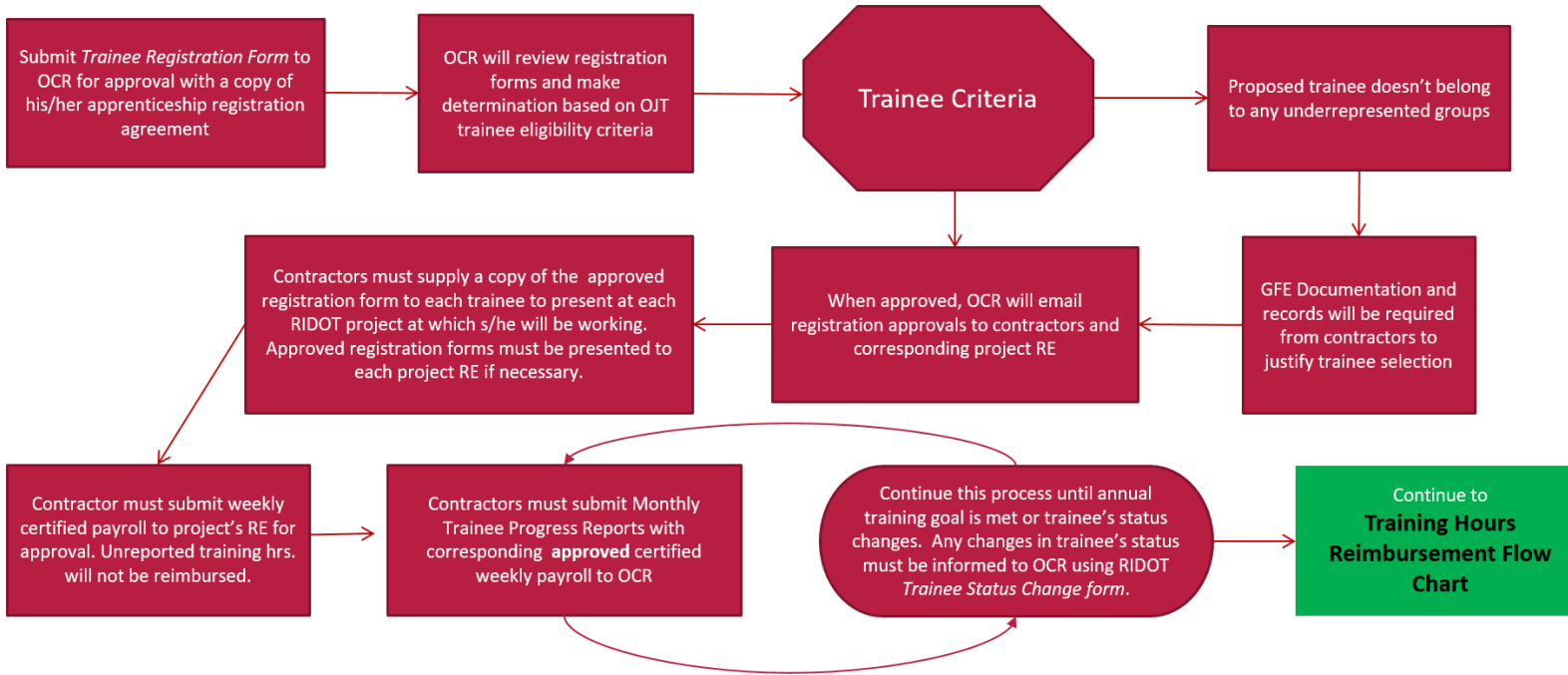
## Training Classification Approval



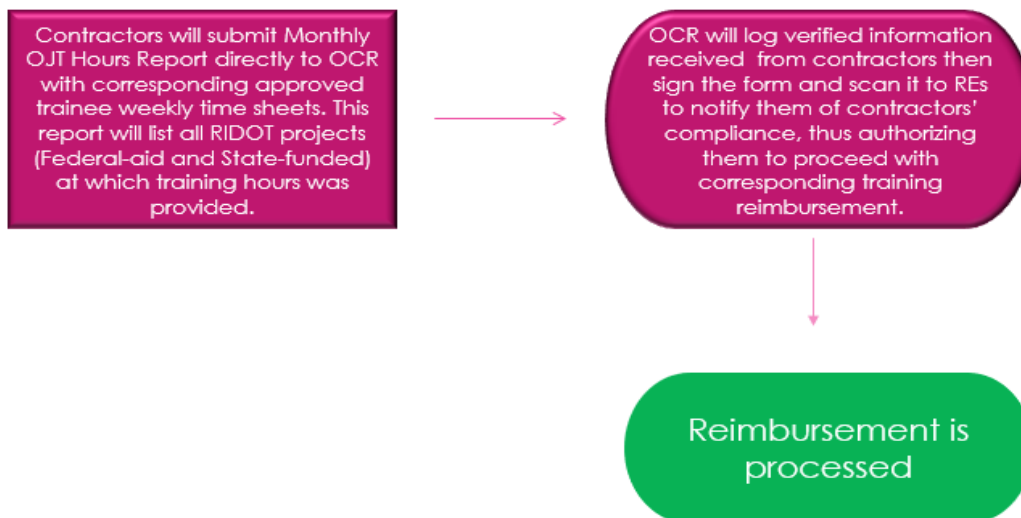
## Training Recruitment



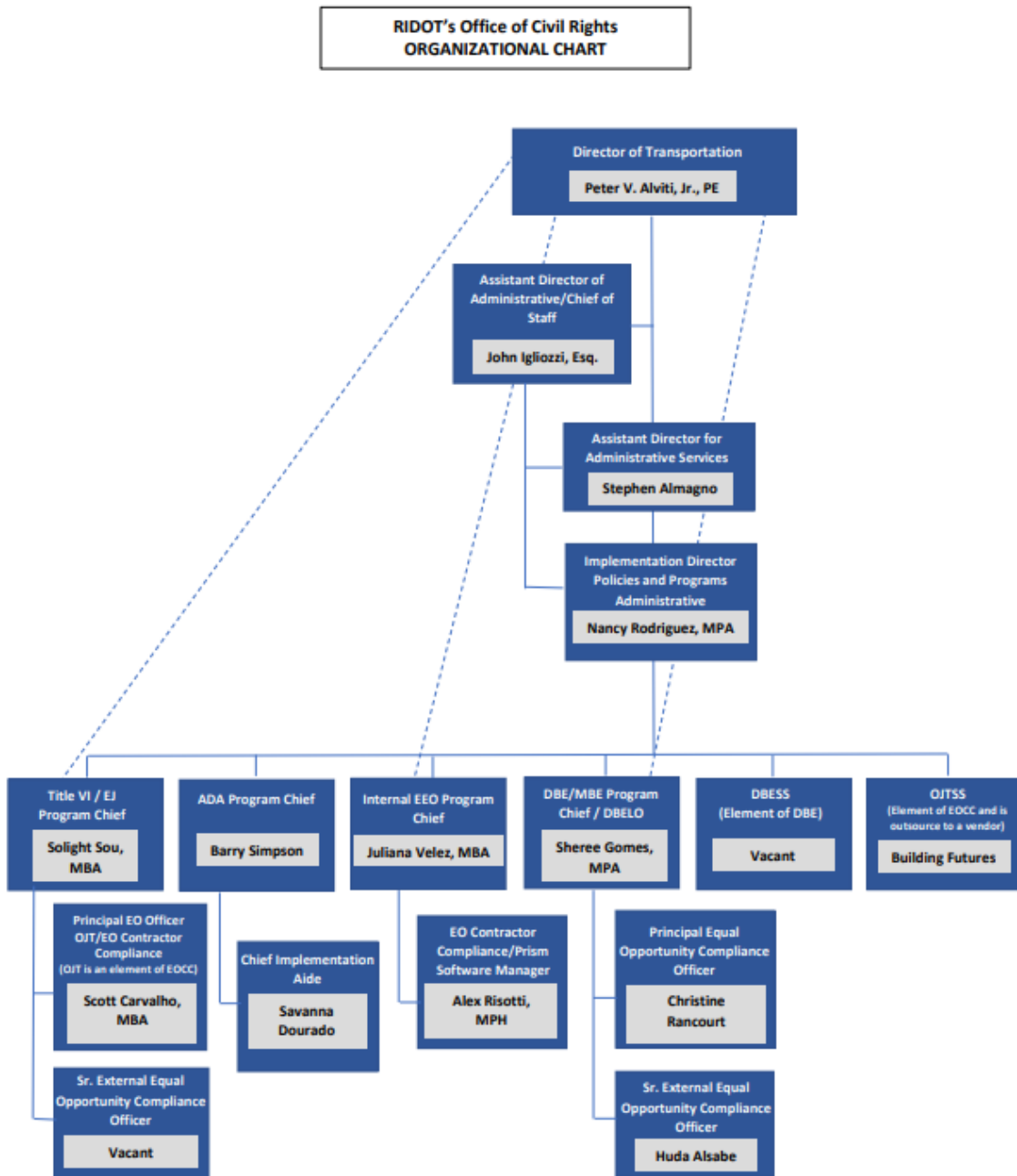
## Training Process



## Training Hours Reimbursement



# Appendix K: RIDOT Office of Civil Rights' Organizational Chart



## OJT Program Staff

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