

*Transforming Lives...*

# One Opportunity at a Time



**On-the-Job Training Program**

**OFFICE OF CIVIL RIGHTS**

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## 1.1 Definitions

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- a. “Alternate 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 FHWA 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 equal employment opportunity obligations of the contractor. 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 clearly approved the program aspects relating to equal employment opportunity and the payment of trainee wage rates in lieu of prevailing wage rates.
  - ii. They are reasonably calculated to qualify the average trainees for journeyman 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.
- b. “Department” means the Texas Department of Transportation.
- c. “DOT” means the U.S. Department of Transportation, including the Office of the Secretary, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA).
- d. “Federal-aid Contract” is any contract between the Texas Department of Transportation and a Contractor that is paid for in whole or in part with DOT assistance.
- e. “Journeyman” means a person who is capable of performing all the duties within a given job classification or craft.
- f. “Supportive Services” means those services provided to increase the overall effectiveness of approved on-the-job training programs for highway construction workers and highway contractors through the performance of various functions necessary to the program but which are not considered to be part of the actual on-the-job craft training.
- g. “Trainee” means a person who is receiving on-the-job training through any program approved by the FHWA or the U.S. Department of Labor.

## **1.2 Policy Statement**

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The Texas Department of Transportation (TxDOT) has established an On-the-Job Training (OJT) Program in accordance with regulations of the U.S. Department of Transportation at 23 CFR Part 230, Subpart A, Equal Employment Opportunity on Federal and Federal-aid Construction Contracts (including Supportive Services). It is the policy of TxDOT to require full utilization of all available training and skill-improvement opportunities to assure the increased participation of minority groups, disadvantaged persons and women in all phases of the highway construction industry.

TxDOT's OJT Program is administered through the Special Provision located in Appendix A.

## **1.3 Nondiscrimination in Programs and Activities**

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Pursuant to Title VI of the Civil Rights Act of 1964 as amended, the Restoration Act of 1987 and other nondiscrimination authorities, it is the policy of TxDOT that discrimination based on race, color, national origin, sex, age or disability shall not occur in connection with any of its programs or activities.

The efforts to prevent discrimination must address, but not be limited to a program's impacts, access, benefits, participation, treatment, services, contracting opportunities, training opportunities, investigation of complaints, allocation of funds, prioritization of projects, and the functions of right-of-way, research, planning, and design.

Pursuant to 23 USC 302, the FHWA's primary recipient is the State Highway Transportation Agency. In Texas, TxDOT is that primary recipient. TxDOT (and its sub recipients and contractors) irrespective of tier, is required to prevent discrimination and ensure nondiscrimination in all programs and activities whether they are federally funded or not.

Additionally, pursuant to FHWA 1273, the Contractor is to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age, or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

The two main authorities enabling Title VI implementation, compliance and enforcement are the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. However, other statutes, laws, regulations, executive orders and the United States Constitution provide guidance for the effective execution of the objectives of Title VI. These include:

- Federal-Aid Highway Act of 1973
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Age Discrimination Act of 1975
- Uniform Relocation Act of 1970
- Executive orders 12898 and 13166

## **1.4 Objectives**

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Training and upgrading of minorities and women is a primary objective of the training Special Provision.

The program addresses the following considerations:

- Flexibility for Contractors in selecting the projects they can place trainees on by removing project specific-based goals;
- Emphasis on the recruitment of trainees who are likely to become members of a Contractor's regular workforce upon completion of the program;
- Emphasis on training in skilled craft classifications; and
- Assisting Contractors in meeting their equal employment opportunity goals through training of minorities, women, and disadvantaged individuals.

TxDOT's Office of Civil Rights Contract Compliance Section (OCR-CCS) is the office of primary responsibility and will depend on assistance from the Construction Division, District and Area Offices in administering the program.

## **1.5 OJT Program Areas**

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The OJT Program has been designed to provide training in the skilled construction trade classifications, as required by Federal regulations.

Standard training programs for each skilled craft classification have been developed jointly by TxDOT, construction industry representatives and others.

The OJT Program has been designed to ensure that the trainee consistently receives the level and quality of training necessary to perform as a journeyman in their respective skilled trade classifications.

Each training program details the training curriculum that will be provided to the trainee, and the number of hours in each classification code.

The approved training programs are listed in Appendix B.

## **1.6 Trainee Requirements**

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

The employee cannot have experience in the training program in which he/she is to be placed.

The Contractor should satisfy this requirement by including appropriate questions in the employee application or by other suitable means.

## **1.7 Trainee Wage Rates**

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The trainee will be paid the appropriate Davis-Bacon wage rates or the prevailing wage rate for training crafts on TxDOT Federal-aid projects.

The Contractor shall compensate the trainee 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.

Contractors using alternate training programs as defined in the manual must compensate the trainee in accordance with the approved Davis-Bacon wage rates in the contract.

## **1.8 Trainee Goal Credit**

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Credit will be allowed toward the Contractor's annual goal for the year in which the trainee entered training.

Credit will be allowed for each trainee employed on the project, pending official enrollment, and when it is documented that the trainee has advanced to journeyman status.

Credit will be allowed for a terminated trainee if the Contractor demonstrated a good faith effort with completing more than half of their training.

Credit will not be allowed when the Contractor fails to provide the required training or evidences a lack of good faith effort in meeting the requirements of this program.

## **1.9 Contractor Annual Goal Methodology**

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An average of the Contractor's previous three fiscal year earnings on Federal-aid contracts will be utilized to determine the annual trainee goal.

OCR-CCS will notify the selected Contractors by October 1 of each year by certified mail of their annual trainee goal. The following table depicts the annual trainee goal methodology:

<b>ANNUAL ESTIMATE OF TRAINEES BASED UPON CONTRACT AMOUNT</b>				
<b>Average Annual Estimated (Range) Contract Amount</b>				<b>Trainees Required Annually</b>
Over	\$205,000,000.01			10
	\$180,000,000.01	to	\$205,000,000.00	9
	\$155,000,000.01	to	\$180,000,000.00	8
	\$130,000,000.01	to	\$155,000,000.00	7
	\$105,000,000.01	to	\$130,000,000.00	6
	\$80,000,000.01	to	\$105,000,000.00	5
	\$55,000,000.01	to	\$80,000,000.00	4
	\$30,000,000.00	to	\$55,000,000.00	3

## **1.10 Contractor Action Plan**

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Contractors must submit their training action plan on the TxDOT Training Plan Form. The form must be submitted to OCR-CCS within 30 calendar days from the date of the annual notification letter.

The purpose of the action plan is to provide contractors with the opportunity to inform the Department of their plans for satisfying their OJT responsibilities in accordance with the Special Provision.

OCR-CCS will review and approve the Contractor's training plan. Upon approval, the Contractor shall assign and schedule trainees to begin their training on a federal-aid highway construction project.

## **1.11 Contractor Responsibilities**

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Contractor responsibilities in implementing the Training Special Provision include:

- Training must commence on a federal-aid highway construction project;
- Training may be provided by a subcontractor currently performing for the trainee's employer;
- The number of trainees shall be distributed among the work classifications on the basis of the Contractor's needs and the availability of journeymen in the various classifications within a reasonable area of recruitment;
- The Contractor will periodically review the training and promotion potential of minorities, women and disadvantaged employees and will encourage eligible employees to apply for such training and promotion;
- The Contractor will advise employees and applicants for employment of available training programs and entrance requirements for each;
- The Contractor will provide OCR-CCS with a training action plan;
- The Contractor shall furnish each trainee with a copy of his/her training schedule and with weekly reports reflecting the total training hours accumulated;
- Upon graduation, the Contractor will provide each trainee with a certificate showing the type and length of training satisfactorily completed; and
- When a trainee is terminated, the Contractor is required to make a good faith effort to replace the trainee within 30 calendar days of the termination.

## **1.12 Contractor Reporting Requirements**

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The Contractor is required to notify OCR-CCS by electronically submitting a Contractor OJT Enrollment Request Form within seven business days of its intent to assign trainees to a project and the training classifications to be utilized.

Upon receipt of the above form, OCR-CCS will, within five business days, either approve or deny the request and notify the Contractor of their decision in writing. If the request is approved, OCR-CCS will notify the applicable TxDOT Area Engineer(s) and the District Director of Construction.

By Wednesday of each week, the Contractor will report on the previous week's OJT activity by submitting an OJT Weekly Reporting Form to the applicable Area Engineer. If there are no hours worked during the week, the Contractor's weekly report will reflect no hours.

If a trainee is transferred to another project, the Contractor must notify both the Area Engineer on the previous project and the Area Engineer the trainee is being transferred to. This information must also be indicated on the OJT Weekly Reporting Form.

The certified payroll must reflect the trainee's training classification and the actual number of hours training for that payroll period.

Upon graduation or if the trainee is terminated for cause, the Contractor will electronically submit the information on the OJT Weekly Reporting Form to OCR-CCS within seven business days of graduation or termination.

The Contractor will utilize the appropriate forms as described herein to notify the Department of the termination of the trainee and the enrollment of the replacement trainee. The replacement trainee need not be enrolled in the same training classification code as the terminated trainee.

## **1.13 Contractor Compliance**

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A Contractor will be determined to be in compliance upon demonstration that the requirements of the OJT Program have been met.

A Contractor that has failed to meet the requirements of the OJT Program shall be in material breach of their contract(s). In such an instance, the Department reserves the right to terminate the contract, assess liquidated damages, or other such remedy or remedies as the Department deems appropriate.

## **1.14 Department Responsibilities**

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The Area Engineer's Office will receive the OJT Weekly Reporting Form from the Contractor, which will contain sufficient statistical data and narrative content to enable evaluation of both progress and problems encountered. The Area Engineer, or designee, will verify the training hours indicated on the form against the certified payroll. The form must be signed and retained in the project files.

On a monthly basis, OCR-CCS will distribute a Contractor Monitoring Checklist to the Area Office to confirm documentation is being received. The Area Office must complete, sign and return the checklist to OCR-CCS within five business days of receipt.

Area Office personnel will conduct labor interviews and wage rate monitoring utilizing the Construction Division's Labor Standards Review Form. Interviews of trainees will be conducted on a quarterly basis to verify their training status and/or progress toward completing their training programs.

To ensure that the Contractors' trainee goals are complied with, the Department will monitor the Contractor's recruitment efforts, training and hiring. This will be accomplished by a review of the Contractor OJT Enrollment Request Form and the OJT Weekly Reporting Form.

OCR-CCS will continually monitor the Contractor's OJT progress through an OJT database developed and maintained by TxDOT. The OJT database will consist of information obtained from the Contractor's reporting forms.

### **1.15 Alternate Training Programs**

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The Contractor may propose another skilled or semi-skilled craft training program for use in fulfilling its OJT requirements, based on its company workforce needs, by submitting a written request detailing the reason for the proposed training program. The Contractor's proposed skilled or semi-skilled craft training program must be approved by the U.S. Department of Labor.

This request should be forwarded to OCR-CCS. A copy of the Contractor's proposed training program must accompany the Contractor's written request.

Furthermore, apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training, or with a State apprenticeship agency recognized by the Bureau and training programs approved but not necessarily sponsored by the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training shall also 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 the State prior to commencing work on the classification covered by the program. It is the intention of 23 CFR Part 230 Appendix B of Subpart A that training is to be provided in the construction crafts rather than clerk-typists or secretarial-type positions. Training is permissible in lower level management positions such as office engineers, estimators, timekeepers, etc., where the training is oriented toward construction applications. Training in the laborer classification may be permitted provided that significant and meaningful training is provided and approved by the FHWA division office. Some offsite training is permissible as long as the training is an integral part of an approved training program and does not comprise a significant part of the overall training.

### **1.16 Annual Report**

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On an annual basis, TxDOT will publish and forward to FHWA a report on the achievement of the Department's annual training goal. (OJT Annual Report Form, Appendix C)

In the event TxDOT does not achieve the annual training goal, TxDOT will inform the FHWA in writing by October 31 indicating the specific reasons the goal was not achieved and the steps TxDOT took in their methodology to adjust future goals.

### **1.17 Records**

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The Contractor shall retain the original training records for a period of three years following completion of the contract work. Such records shall be available at reasonable times and places for inspection by authorized representatives of the Department and the Federal Highway Administration.

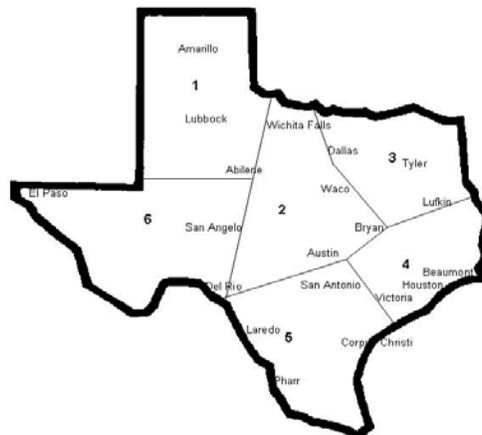
## **1.18 Supportive Services (Pursuant to 23 CFR Part 230.113(f)(1)(2))**

OCR-CCS and the Texas Transportation Institute (TTI) have partnered to develop a recruitment and pre-employment training program entitled the “Construction Career Academy (CCA).”

The key benefits of the program are listed below:

- Provides contractors with a means to demonstrate good faith efforts in meeting EEO objectives by participating in the program;
- Assists contractors in filling positions in under-represented classifications;
- Recruits motivated individuals for contractor employment consideration;
- Provides participants with a true understanding of the construction work environment;
- Provides employment physicals for participants;
- Provides participants with transportation assistance; and
- Hosts job fairs where contractors and potential employees will be introduced.

TTI, in a joint effort with the Texas Engineering Extension Service (TEEX), will conduct training sessions in six regions throughout the state, as illustrated in the map below. Program curriculum will include introductory courses and practical exercises related to the highway construction industry.



The CCA is replacing the Texas Business Opportunity and Workforce Development Center program. Additional information regarding the CCA may be obtained from Ms. Debbie Jasek, Program Manager, at (979)845-5239.

# **APPENDIX A**

## **Special Provision**

**SPECIAL PROVISION**  
**000--1001**  
**On-the-Job Training Program**

- 1. Description.** Texas Department of Transportation's (TxDOT's) program to meet the requirements of the Federal-Aid Highway Act of 1968 and 23 CFR (Code of Federal Regulations) Part 230, Subpart A. The objective is to develop skill improvement programs to provide opportunities for unskilled workers, particularly minorities, women, and disadvantaged persons, to acquire training in the skilled construction trades.
- 2. Trainee Assignment.** TxDOT's Office of Civil Rights will allocate training assignments to prequalified contractors based on the past contract volume of federal-aid work performed with TxDOT. TxDOT will notify each contractor who has met the volume of work threshold at the beginning of each reporting year and advise them of the number of trainees they are expected to support.
- 3. Program Requirements.** Contractors found to have reached the level(s), as identified in the TxDOT On-The-Job Training (OJT) program document, are required to fulfill all of the requirements of the OJT program at no additional cost to the department other than contractor requested reimbursement of \$0.80 per hour for a trainee.

The contractors are required to compensate the trainee at least 60% of the appropriate minimum journeyman's rate specified in the contract for the first half of the training period, 75% for the third quarter of the training period and 90% for the last quarter of the training period.

Contractors will promptly notify pertinent project engineers of the trainee's work location in sufficient time to allow for observation or interviews.

The program document is available through the TxDOT Office of Civil Rights Contract Compliance Section at 125 E. 11th Street, Austin, Texas 78701.

- 4. Non-Compliance.** A contractor's failure to comply with the requirements of this Special Provision shall constitute a material breach of this contract. In such a case, the department reserves the right to terminate the contract, assess liquidated damages, or such other remedy or remedies as the department deems appropriate.

# **APPENDIX B**

## **Overview of Training Programs**

The training programs are as follows:

<b>Training Program</b>	<b>Hours in Program (Up to)</b>
Asphalt Distributor	1040
Asphalt Paving Machine	1040
Asphalt Raker	520
Backhoe	1040
Batching Plant Scaleperson	520
Blaster	1040
Bulldozer, over 150 HP	720
Bulldozer, under 150 HP	720
Carpenter, Rough	1040
Concrete Finisher (Paving)	1040
Concrete Finisher (Structures)	1040
Concrete Paving Finishing Machine	1040
Crane or Excavator	1040
Crusher or Screening Plant Operator	1040
Electrician	4160
Form Builder (Structures)	1040
Form Setter (Paving)	1040
Form Setter (Structures)	1040
Foundation Drill Operator, truck mounted	720
Front End Loader (2 1/2 CY and less)	520
Front End Loader (Over 2 1/2 CY)	520
Mechanic	1440
Motor Grader Operator	1040
Oiler	1040
Piledriver	1040
Pipelayer	520
Reinforcing Steel Setter (Paving)	720
Reinforcing Steel Setter (Structures)	720
Roller, Pneumatic (Self-Propelled)	520
Roller, Steel Wheel (Other-Flatwheel or Tamping)	1040
Roller, Steel Wheel (Plant Mix Pavements)	1040
Scrapers (Over 17 CY)	520
Scrapers (Under 17 CY)	520
Self Propelled Sweeper Operator	320
Service Person	520
Sign Erector	1040
Spreaderbox Person	520
Steel Worker (Structural)	1040
Tractor Operator (80 HP and Less)	520
Tractor Operator (Over 80 HP)	520
Trenching Machine, Heavy	1040
Truck Driver	1040
Utility Operator	1040
Wagon Drill, Boring Machine or Post Hole Driller Operator	720
Welder	1040

CARPENTER, ROUGH – Code 901

I. Orientation and Safe Use of Tools of the Trade	
A. Power and hand tools .....	20 hours
B. Materials selection .....	20 hours
II. Applied Techniques of Highway Construction Carpentry	
A. Safety procedures.....	5 hours
B. Pier, pile and cap formwork.....	145 hours
C. Decking formwork.....	150 hours
D. Parapet and hand railing formwork.....	150 hours
E. Endwall formwork .....	150 hours
F. Box culverts, inlets and headwall formwork .....	150 hours
III. Blueprint or Construction Plans Reading and Application.....	50 hours
IV. Basic Form Design Familiarity .....	95 hours
A. Safety procedures.....	5 hours
V. Stripping and Salvage of Forms for Re-use .....	95 hours
A. Safety Procedures.....	5 hours
Total .....	1040 hours

## CONCRETE FINISHER (Paving) – Code 902

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of use of straight edges and steel trowels.....	25 hours
C. Observation of forming a finishing of edges and joints.....	25 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine cleaning work area and materials, holding materials, tools and handling canvas belting or burlap strips .....	245 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Basic operation of tools .....	200 hours
C. Use of straight edges or steel trowels .....	200 hours
D. Forming and finishing edges, joints, curbs and gutters .....	325 hours
Total .....	1040 hours

CONCRETE FINISHER (Structures) – Code 903

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of use of machine in operation .....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	45 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	245 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Basic operation of machine.....	200 hours
C. Use of trowels or floats.....	100 hours
D. Operation of trowels or floats or finishing machine .....	380 hours
Total .....	1040 hours

FORM BUILDER (Structures) – Code 904

I. Orientation and Safe Use of Tools of the Trade	
A. Power and hand tools .....	20 hours
B. Materials selection .....	20 hours
II. Applied Techniques of Highway Construction Carpentry	
A. Safety procedures.....	5 hours
B. Pier, pile and cap formwork.....	145 hours
C. Decking formwork.....	150 hours
D. Parapet and hand railing formwork.....	150 hours
E. Endwall formwork .....	150 hours
F. Box culverts, inlets and headwall formwork .....	150 hours
III. Blueprint or Construction Plans Reading and Application.....	50 hours
IV. Basic Form Design Familiarity .....	95 hours
A. Safety procedures.....	5 hours
V. Stripping and Salvage of Forms for Re-use .....	95 hours
A. Safety Procedures.....	5 hours
Total .....	1040 hours

FORM SETTER (Structures) – Code 905

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of placing of forms .....	20 hours
C. Observation of form stripping and setting of precast concrete .....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Help strip forms and clean work area .....	25 hours
III. Actual Operation of Form Setting	
A. Safe operating procedures.....	5 hours
B. Hold and help align forms. Drive stakes for braces and help erect scaffolding .....	250 hours
C. Observe and assist in setting precast concrete .....	50 hours
D. Measure space between forms, fit together, line, plumb vertically, set to elevation .....	300 hours
E. Check forms while concrete is being poured.....	350 hours
Total .....	1040 hours

PILEDRIVER – Code 906

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	45 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	345 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Basic operation of crane or pile driving rig in hoisting and moving.....	200 hours
C. Placement of pile in preparation for driving.....	140 hours
D. Seating of pile hammer on pile in preparation for driving.....	140 hours
E. Driving of pile.....	100 hours
Total .....	1040 hours

PIPE LAYER - Code 907

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of spade operation and laying of pipe .....	20 hours
C. Study of various types of pipe and related materials .....	5 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Ditch preparation, handle materials and tools.....	20 hours
III. Actual Handling of Pipe and Spade	
A. Ditch grading with compressed air driven or hand spade.....	50 hours
B. Handle materials, assist in lowering pipe .....	50 hours
C. Work with pipe layer in laying all types of pipe and duct. Adjust pipe to elevation insert spigot end of pipe into bell end of last laid pipe.....	365 hours
Total .....	520 hours

## ASPHALT PAVING MACHINE - Code 908

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operations .....	35 hours
C. Starting and manipulating levers for moving equipment and attachments.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	150 hours
III. Actual Operation of Equipment	
A. Safety operating procedures.....	5 hours
B. Observation of machine in operations .....	120 hours
C. Operating of machine.....	690 hours
Total .....	1040 hours

BULLDOZER, over 150 H.P. - Code 909

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
C. Starting and manipulating levers for moving equipment and attachments.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Movement and stockpiling of material .....	150 hours
C. Pushing and rough grading .....	125 hours
D. Clearing and grubbing.....	125 hours
E. Finish grading .....	175 hours
F. Special applications .....	30 hours
Total .....	720 hours

## CONCRETE PAVING FINISHING MACHINE - Code 910

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
C. Starting and manipulating levers for moving equipment and attachments.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	150 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Screed regulation indoctrination and operation .....	120 hours
C. Operation of machine.....	690 hours
Total .....	1040 hours

BACKHOE – Code 911

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	45 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	295 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Trenching operations (for Pipe laying, etc.) .....	300 hours
C. Excavation (for structures, footings, etc.).....	300 hours
D. Special applications and functions.....	35 hours
Total .....	1040 hours

CRANE OR EXCAVATOR – Code 912

I. Orientation and Observation	
A. Safety procedures.....	10 hours
B. Observation of machine in operation.....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	40 hours
II. Care and Maintenance	
A. Safety procedures.....	10 hours
B. Routine fueling, lubricating and servicing.....	340 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Excavation for footings and removal of unsuitable materials .....	200 hours
C. Loading and unloading materials.....	130 hours
D. Trenching for pipe, etc.....	100 hours
E. Hoisting materials .....	100 hours
F. Placement of beams, pipe, girders, piles, etc. ....	50 hours
Total ... ..	1040 hours

FRONT END LOADER (2½ C.Y. and less) – Code 913

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	20 hours
C. Starting and manipulating levers for moving equipment and attachments.....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Loading materials.....	250 hours
C. Excavation.....	150 hours
D. Special applications .....	35 hours
Total .....	520 hours

FRONT END LOADER (Over 2 1/2 C.Y.) – Code 914

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	20 hours
C. Starting and manipulating levers for moving equipment and attachments.....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Loading materials.....	200 hours
C. Excavation.....	150 hours
D. Charge hoppers with materials on asphalt and concrete plants.....	50 hours
E. Special applications .....	35 hours
Total .....	520 hours

## MOTOR GRADER OPERATOR – Code 915

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	100 hours
C. Starting and manipulating levers for moving equipment and attachments.....	95 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Scraping and leveling dirt on roadway .....	180 hours
C. Spreading and mixing materials on roadway.....	170 hours
D. Shaping and blading subgrades.....	150 hours
E. Balancing and rough shaping base course materials.....	150 hours
F. Fine grading and dressing of shoulders and slopes.....	145 hours
Total .....	1040 hours

ROLLER, STEEL WHEEL (Plant Mix Pavements) - Code 916

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling , lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Roll base course to desired compaction.....	455 hours
C. Roll asphalt surfaces to desired compaction and smoothness and assure proper sealing of joints .....	500 hours
Total .....	1040 hours

ROLLER, STEEL WHEEL (Other-Flatwheel or Tamping) – Code 917

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Roll base course to desired compaction.....	455 hours
C. Roll asphalt surfaces to desired compaction and smoothness and assure proper sealing of joints .....	500 hours
Total .....	1040 hours

ROLLER, PNEUMATIC (Self-Propelled) – Code 918

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	10 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	25 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Roll base course to desired compaction.....	200 hours
C. Roll asphalt surfaces to desired compaction and smoothness and assure proper sealing of joints .....	270 hours
Total .....	520 hours

## SCRAPERS (Over 17 C.Y.) – Code 919

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	20 hours
C. Starting and manipulating levers for moving equipment and attachments.....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Loading.....	150 hours
C. Spreading material.....	150 hours
D. Rough roadway grading.....	70 hours
E. Compaction of embankment.....	65 hours
Total.....	520 hours

TRACTOR OPERATOR (80 H.P. and less) – Code 920

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	30 hours
C. Starting and manipulating levers for moving equipment and attachments.....	25 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Pulling compaction implements.....	150 hours
C. Pull graders for dressing operations.....	150 hours
D. Ground clearing assistance .....	115 hours
Total .....	520 hours

TRACTOR OPERATOR (Over 80 H.P.) – Code 921

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	30 hours
C. Starting and manipulating levers for moving equipment and attachments.....	25 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Pushing other equipment to aid in loading or unloading operations.....	150 hours
C. Pulling compaction and mixing implements.....	150 hours
D. Ground clearing assistance .....	115 hours
Total .....	520 hours

TRENCHING MACHINE, HEAVY – Code 922

I. Orientation and Observation	
A. Safety procedures.....	10 hours
B. Observation of machine in operation.....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	40 hours
II. Care and Maintenance	
A. Safety procedures.....	10 hours
B. Routine fueling, lubricating and servicing.....	340 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Excavation for footing and removal of unsuitable materials.....	200 hours
C. Trenching for pipe, etc.....	380 hours
Total .....	1040 hours

REINFORCING STEEL SETTER (Structures) – Code 923

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of steel being set and welding of rods .....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Steel bar placement.....	50 hours
III. Actual Steel Setting	
A. Rod fastening .....	80 hours
B. Rod cutting.....	80 hours
C. Rod welding.....	80 hours
D. Rod placement .....	255 hours
E. Fabrication of reinforcement assembly.....	150 hours
Total .....	720 hours

STEEL WORKER (Structural) – Code 924

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of steel worker.....	20 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Tool Review.....	5 hours
III. Operating with Steel Workers	
A. Raise and place fabricated structural steel.....	150 hours
B. Emphasis on girders, plates and columns.....	100 hours
C. Fasten steel members together by welding or bolting.....	405 hours
D. Signal erection crane, rig equipment.....	350 hours
Total.....	1040 hours

FOUNDATION DRILL OPERATOR – Code 925

I. Orientation and Observation	
A. Orientation and observation.....	5 hours
B. Observation of machine in operation.....	35 hours
C. Starting and manipulating levers for moving equipment and attachments.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Small hole drilling.....	200 hours
C. Large hole drilling.....	200 hours
D. Casing operation .....	75 hours
E. General operating.....	130 hours
Total .....	720 hours

MECHANIC – Code 926

I. Orientation and Observation	
A. Safety procedures.....	15 hours
B. Cleaning, disassembling and inspection of engine parts ...	40 hours
C. Installation and adjustment of minor parts.....	50 hours
II. Care and Maintenance	
A. Safety procedures.....	15 hours
B. Engine reconditioning.....	200 hours
C. Clutch installation.....	50 hours
D. Transmission reconditioning.....	100 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	20 hours
B. Electrical systems.....	200 hours
C. Hydraulic systems.....	200 hours
D. Final drive and track assemblies.....	150 hours
E. Welding and fabrication.....	100 hours
F. General field maintenance .....	300 hours
Total .....	1440 hours

WELDER – Code 927

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Welding equipment.....	20 hours
C. Materials selection .....	20 hours
D. Observation of welder.....	20 hours
II. Applied Techniques of Welding	
A. Safety procedures.....	5 hours
B. Acetylene-cutting, brazing and welding .....	300 hours
C. Electric-cutting and welding .....	300 hours
III. Actual Welding Operations	
A. Safety procedures.....	5 hours
B. Cut, lay out, fit and weld sheet metal, cast iron and other metal parts .....	185 hours
C. Fabricate and repair equipment.....	180 hours
Total .....	1040 hours

## CRUSHER OR SCREENING PLANT OPERATOR - Code 928

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
C. Starting of crusher operating conveyors .....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	150 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Operation of conveyors and crusher operations.....	120 hours
C. Operation of crusher .....	690 hours
Total .....	1040 hours

TRUCK DRIVER – Code 929

I. Orientation and Observation	
A. Safety procedures.....	10 hours
B. Observation (as a passenger) of vehicle in operation .....	50 hours
C. Starting and manipulating vehicle .....	40 hours
II. Care and Maintenance	
A. Safety procedures.....	10 hours
B. Routine fueling, lubricating and servicing.....	340 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Loading and unloading materials and operation of vehicle .....	580 hours
Total .....	1040 hours

ASPHALT DISTRIBUTOR – Code 930

I. Orientation and Observation	
A. Safety procedures.....	10 hours
B. Observation of vehicle in operation.....	35 hours
C. Starting and manipulating valves and levers to distribute material and move equipment.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Regulates valves and levers to distribute oil or bituminous liquid for highway surfacing.....	120 hours
C. Operation of equipment .....	805 hours
Total .....	1040 hours

ASPHALT RAKER – Code 931

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of placement of materials .....	5 hours
C. Perform duties of asphalt shoveler.....	35 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Adjustment of screed to regulate width and depth of material .....	35 hours
C. Distribution of material.....	395 hours
Total .....	520 hours

BLASTER – Code 932

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of work of Powder man .....	50 hours
C. Assist Powder man by carrying explosives, placing in holes, connecting lead wires .....	45 hours
II. Applied Techniques of Powder man	
A. Safety procedures.....	15 hours
B. Storage, transporting, placing and discharging of explosives .....	335 hours
III. Actual Blasting Operations	
A. Safe operating procedures.....	25 hours
B. Use of detonators and explosives.....	100 hours
C. Storage, movement and placing of explosives.....	300 hours
D. Placing wires, detonators and explosives, tamping and discharging .....	165 hours
Total .....	1040 hours

SPREADERBOX PERSON – Code 933

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	25 hours
C. Starting, stopping and manipulating levers for moving equipment and attachments.....	20 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	30 hours
III. Actual Operation of Equipment	
A. Selection and loading of materials.....	40 hours
B. Spreading of stone or other granular materials on spread way sub-base or base.....	395 hours
Total .....	520 hours

SIGN ERECTOR – Code 934

I. Orientation and Safe Use of Tools and Equipment	
A. Power and hand tools .....	20 hours
B. Special fittings and hardware.....	10 hours
C. Specifications or design for concrete mixer.....	20 hours
II. Applied Techniques of Sign Erection	
A. Preparation of layout for signs.....	30 hours
B. Cuts, ties and sets reinforcing steel for footings.....	25 hours
C. Sets forms for, places concrete and sets anchor bolts.....	300 hours
D. Erects wood or metal structures.....	250 hours
E. Places clamps, brackets or other required hardware on structures .....	250 hours
III. Blueprint or Construction Plans Reading .....	50 hours
IV. Basic Design Familiarity	
A. Safety procedures.....	5 hours
V. Stripping and Salvage of Forms for Re-use.....	75 hours
A. Safety procedures.....	5 hours
Total .....	1040 hours

OILER – Code 935

I. Orientation and Safe Use of Tools of the Trade	
A. Lubrication requirements of mechanical equipment.....	20 hours
B. Materials selection .....	20 hours
II. Applied Techniques of the Oiler	
A. Safety procedures.....	5 hours
B. Equipment characteristics and lubrication points .....	145 hours
C. Oil changes, filter changes, grease guns, hard packing of grease, greasing bearings .....	450 hours
D. Minor adjustments to drive chains and clutches .....	150 hours
III. Shop and Field Practices .....	50 hours
IV. Equipment Operation and Operation of Oil, Grease and Fuel Service Truck .....	190 hours
A. Safety procedures.....	10 hours
Total .....	1040 hours

UTILITY OPERATOR – Code 936

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	50 hours
C. Starting and manipulating levers for moving equipment and attachments.....	45 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	295 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Operation of various equipment.....	600 hours
C. Special applications and functions.....	35 hours
Total .....	1040 hours

SERVICE PERSON - Code 937

I. Orientation and Observation	
A. Safety procedures.....	20 hours
B. Observing fueling, greasing and cleaning filters .....	40 hours
C. Fuel and grease used for different types of equipment .....	40 hours
II. Actual Operation	
A. Servicing all types of equipment.....	80 hours
B. Installation and adjustment of minor parts.....	80 hours
C. General field maintenance and operation of service truck .....	260 hours
Total .....	520 hours

## ELECTRICIAN – Code 942

I. Orientation	
A. Safety procedures.....	50 hours
B. Basic rules of National Electrical Code .....	100 hours
C. Basic tools – their care and uses .....	100 hours
II. Applied Techniques of Electrical Construction	
A. Wire ways – types, uses and methods of installation.....	900 hours
B. Circuit wiring.....	800 hours
C. Protective equipment – switches, panels, etc.....	300 hours
D. Feeders and services .....	300 hours
E. Lighting fixtures and wall outlets .....	250 hours
F. Control wiring.....	150 hours
G. Testing of completed work .....	100 hours
III. Technical Studies and Review	
A. Advance study of National Electrical Code.....	100 hours
B. Construction blueprints, reading and application .....	200 hours
IV. Underground Construction and Outside Lighting	
A. Underground conduit and wire .....	300 hours
B. Installation of outside lighting, maintenance and repairs .....	400 hours
V. Care and Maintenance of Trade Tools and Equipment .....	110 hours
Total .....	4160 hours

BATCHING PLANT SCALEPERSON—Code 943

I. Orientation and Observation	
A. Safety Procedures.....	5 hours
B. Observation of equipment in operation.....	35 hours
C. Adjustment of scales, operation of controls and weighing.....	50 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine cleaning, lubrication and servicing.....	75 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	10 hours
B. Operating controls and scales for measurement and discharge of concrete or asphaltic materials into trucks, carriers or mixer.....	340 hours
Total .....	520 hours

WAGON DRILL, BORING MACHINE OR  
POST HOLE DRILLER OPERATOR – Code 944

I. Orientation and Observation	
A. Orientation and Observation.....	5 hours
B. General drilling procedures and operation.....	65 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Small hole drilling.....	200 hours
C. Large hole drilling.....	200 hours
D. Casing operation .....	75 hours
E. General operating.....	130 hours
Total .....	720 hours

REINFORCING STEEL SETTER (Paving) – Code 945

I. Orientation and Observation	
A. Safety Procedures.....	5 hours
B. Observation of steel being set.....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Steel bar placement.....	50 hours
III. Actual Steel Setting	
A. Rod tying.....	80 hours
B. Rod cutting.....	80 hours
C. General rod placement.....	485 hours
Total .....	720 hours

FORM SETTER (Paving) – Code 946

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of setting grade line .....	20 hours
C. Observation of pulling, loading, hauling and placing forms .....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine cleaning of forms and care of air and hand tools .....	25 hours
III. Actual Operation of Form Setting	
A. Safe operating procedures.....	5 hours
B. Set grade line.....	100 hours
C. Pull, load, haul and place forms.....	150 hours
D. Set forms to finish grade.....	300 hours
E. Drive pins.....	100 hours
F. Check alignment .....	150 hours
G. Spray forms.....	100 hours
H. Check forms while pouring concrete .....	50 hours
Total .....	1040 hours

SELF PROPELLED SWEEPER OPERATOR – Code 947

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	5 hours
C. Starting and manipulating levers for moving equipment and attachments.....	10 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	20 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
Note: Point out necessity to wear eye protection while operating the sweeper	
B. Proper start-up, proper engagement and position of broom and proper sweeping technique.....	15 hours
C. Removal and replacement of broom wafers .....	10 hours
D. Operation of sweeper in cleaning of pavements .....	245 hours
Total .....	320 hours

BULLDOZER, UNDER 150 H.P. - Code 948

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	35 hours
C. Starting and manipulating levers for moving equipment and attachments.....	30 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Movement and stockpiling of material .....	150 hours
C. Pushing and rough grading .....	125 hours
D. Clearing and grubbing.....	125 hours
E. Finish grading .....	175 hours
F. Special applications .....	30 hours
Total .....	720 hours

SCRAPERS (Under 17 C.Y.) – Code 949

I. Orientation and Observation	
A. Safety procedures.....	5 hours
B. Observation of machine in operation.....	20 hours
C. Starting and manipulating levers for moving equipment and attachments.....	15 hours
II. Care and Maintenance	
A. Safety procedures.....	5 hours
B. Routine fueling, lubricating and servicing.....	35 hours
III. Actual Operation of Equipment	
A. Safe operating procedures.....	5 hours
B. Loading.....	150 hours
C. Spreading material.....	150 hours
D. Rough roadway grading.....	70 hours
E. Compaction of embankment.....	65 hours
Total.....	520 hours

# **APPENDIX C**

## **Reporting Forms**



# Texas Department of Transportation CONTRACTOR OJT ENROLLMENT REQUEST FORM

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_  
SSN (last 4 digits): \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_  
New Hire, Upgrade or Replacement: Replacement Previous Wage: \_\_\_\_\_  
Previous Classification: **000 Unskilled**

Gender: Female	
-----	
Ethnicity: White (Not of Hispanic Origin)	If other, please specify:

Contractor:	Phone:
Contact Person:	
Address:	City, State, ZIP:
Email:	

Training Classification: 901 Carpenter, Rough	
Planned Training Start Date:	Training Start Wage:
Contract CSJ: (9999-99-999)	Federal-aid project: Yes <input type="checkbox"/> No <input type="checkbox"/>
County:	District:
Area Engineer:	

\_\_\_\_\_  
Trainee Signature

\_\_\_\_\_  
Contractor Representative Signature

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Type Name

Electronically submit this form within 7 days to the Texas Department of Transportation (TxDOT) Office of Civil Rights at [OCR\\_TxDOT-OJT-Program@dot.state.tx.us](mailto:OCR_TxDOT-OJT-Program@dot.state.tx.us). A signed copy must be maintained in the project files. Upon receipt of this form and if appropriate, TxDOT will furnish an enrollment confirmation letter to the Contractor, the applicable Area Engineer(s) and the District Director of Construction.



# Texas Department of Transportation OJT WEEKLY REPORTING FORM

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_ SSN (Last 4 digits): \_\_\_\_\_  
 Job Classification: 901 Carpenter, Rough Contractor/Employer: \_\_\_\_\_  
 Begin Date of Workweek: \_\_\_\_\_ End Date of Workweek: \_\_\_\_\_  
 Contract CSJ(9999-99-999): \_\_\_\_\_ County: \_\_\_\_\_ Training Hours Worked: \_\_\_\_\_  
 Contract CSJ(9999-99-999): \_\_\_\_\_ County: \_\_\_\_\_ Training Hours Worked: \_\_\_\_\_  
 Contract CSJ(9999-99-999): \_\_\_\_\_ County: \_\_\_\_\_ Training Hours Worked: \_\_\_\_\_  
 Hourly Wage Rate: \_\_\_\_\_ Cumulative Hrs to Date: \_\_\_\_\_  
 Percentage of Full Wage (beginning of period): \_\_\_\_\_ % Percentage of Training completed (To Max. Training Hours): \_\_\_\_\_

Training Not to Exceed 1040 hours for this classification	Date Completed
<b>I. Orientation and Safe Use of Tools of the Trade</b>	
<b>A. Power and hand tools</b>	
<b>B. Materials selection</b>	
<b>II. Applied Techniques of Highway Construction Carpentry</b>	
<b>A. Safety procedures</b>	
<b>B. Pier, pile and cap formwork</b>	
<b>C. Decking formwork</b>	
<b>D. Parapet and hand railing formwork</b>	
<b>E. Endwall formwork</b>	
<b>F. Box Culverts, inlets and headwall formwork</b>	
<b>III. Blueprint or Construction Plans Reading and Application</b>	
<b>IV. Basic Form Design Familiarity</b>	
<b>A. Safety procedures</b>	
<b>V. Stripping and Salvage of Forms for Re-use</b>	
<b>A. Safety Procedures</b>	

**Special Instructions:**  
 Graduate this Trainee as of: \_\_\_\_\_  
 Terminate this Trainee as of: \_\_\_\_\_ Reason for Termination: \_\_\_\_\_  
 Narrative Description of Progress or Problems (4 lines max.): \_\_\_\_\_  
 Check box if reimbursement is requested. Reimbursement is \$0.80 per training hour upon graduation. Reimbursement will be made under the active Federal-aid contract identified here. County \_\_\_\_\_ CSJ \_\_\_\_\_

Contractor Representative	Contact Phone	Email
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Electronically submit this form by Wednesday of each week to the applicable Area Engineer, reporting on the preceding week. Upon graduation or termination, also electronically submit this form within 7 days to the Texas Department of Transportation Office of Civil Rights at [OCR\\_TxDOT-OJT-Program@dot.state.tx.us](mailto:OCR_TxDOT-OJT-Program@dot.state.tx.us).

Texas Department of Transportation Use Only	
Date Checked Against Payroll:	
Payroll Period:	
Area Office Representative Signature and Title	Print Name: Signature: Title:
Area Office Comments:	



**LABOR STANDARDS REVIEW**

Project CSJ: \_\_\_\_\_ County: \_\_\_\_\_ Date: \_\_\_\_\_

Employer: \_\_\_\_\_

**Employee Interview**

Employee Name: \_\_\_\_\_

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

Describe your work duties and tools used: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Work being performed (observed): \_\_\_\_\_

\*Do you work over 40 Hours per week? Yes  No  Overtime Wage Rate: \_\_\_\_\_ How Paid? (cash or check) \_\_\_\_\_

\* Work on all projects (private, municipal, state or county) is counted for overtime.

Is any money deducted from your pay besides income and social security taxes?  
Yes  No  If so, explain:  
\_\_\_\_\_  
\_\_\_\_\_

Has employee seen posting of minimum wage rates? Yes  No  Are you paid weekly? Yes  No  If not, how often? \_\_\_\_\_

Are you currently enrolled in an apprenticeship or training program? Yes  No

If so, has copy of training program been provided? Yes  No

**On-the-Job Training** (if applicable)

When did you begin working for this company? Approximate Month/Year: \_\_\_\_\_

Job classification at hire: \_\_\_\_\_

List previous job classification/craft with this company or other companies: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In which classification/craft training are you enrolled? \_\_\_\_\_

What is the name and title of your trainer? \_\_\_\_\_

## LABOR STANDARDS REVIEW

### **On-the-Job Training** (continued)

Please explain the training you are receiving: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you received a copy of the *Contractor OJT Program Enrollment Request Form* that you signed?     Yes     No

Have you received a copy of the *OJT Program* curriculum?     Yes     No

\_\_\_\_\_  
Interviewer (Signature and Title) Date

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### **Payroll Review**

Payroll Period: \_\_\_\_\_ Classification: \_\_\_\_\_

Minimum hourly rate: \_\_\_\_\_ Rate Paid: \_\_\_\_\_

\*OJT Current Training Period (if applicable):

First Half @ min. 60%       Third Quarter @ min. 75%       Last Quarter @ min. 90%

\* Trainee's current training quarter. Minimum percentage of prevailing wage rate to be paid for the corresponding quarter.

If employee interview or payroll review indicates non-compliance, describe actions taken:

\_\_\_\_\_  
\_\_\_\_\_

Supplemental Payrolls submitted?     Yes     No

\_\_\_\_\_  
Reviewer (Signature and Title) Date

## Texas Department of Transportation OJT ANNUAL REPORT FORM

**Reporting Period:** \_\_\_\_  
**Number of contractors selected for OJT:** \_\_\_\_  
**Actual number of contractors providing OJT:** \_\_\_\_  
**OJT trainee goal for the year:** \_\_\_\_  
**Actual number of OJT participants:** \_\_\_\_

<b>Enrollments</b>			
Race/Ethnicity	Male	Female	Total
White			
Black			
Hispanic			
Asian or Pacific Islander			
American Indian			
Other			
<b>Totals:</b>			

<b>Active</b>			
Race/Ethnicity	Male	Female	Total
White			
Black			
Hispanic			
Asian or Pacific Islander			
American Indian			
Other			
<b>Totals:</b>			

<b>Graduations</b>			
Race/Ethnicity	Male	Female	Total
White			
Black			
Hispanic			
Asian or Pacific Islander			
American Indian			
Other			
<b>Totals:</b>			

<b>Terminations</b>			
Race/Ethnicity	Male	Female	Total
White			
Black			
Hispanic			
Asian or Pacific Islander			
American Indian			
Other			
<b>Totals:</b>			

# **APPENDIX D**

**Federal Regulation 23CFR Part 230**

**§ 230.111 Implementation of special requirements for the provision of on-the-job training.**

(a) The State highway agency shall determine which Federal-aid highway construction contracts shall include the "Training Special Provisions" (appendix B) and the minimum number of trainees to be specified therein after giving appropriate consideration to the guidelines set forth in § 230.111(c). The "Training Special Provisions" shall supersede section 7(b) of the Special Provisions (appendix A) entitled "Specific Equal Employment Opportunity Responsibilities." Minor wording revisions will be required to the "Training Special Provisions" in areas having "Hometown" or "Imposed Plan" requirements.

(b) The Washington Headquarters shall establish and publish annually suggested minimum training goals. These goals will be based on the Federal-aid apportioned amounts and the minority population. A State will have achieved its goal if the total number of training slots on selected federally aided highway construction contracts which have been awarded during each 12-month period equals or exceeds the State's suggested minimum annual goal. In the event a State highway agency does not attain its goal during a calendar year, the State highway agency at the end of the calendar year shall inform the Administrator of the reasons for its inability to meet the suggested minimum number of training slots and the steps to be taken to achieve the goal during the next calendar year. The information is to be submitted not later than 30 days from the end of the calendar year and should be factual, and should not only indicate the situations occurring during the year but show the project conditions at least through the coming year. The final determination will be made on what training goals are considered to be realistic based on the information submitted by a State.

(c) The following guidelines shall be utilized by the State highway agency in selecting projects and determining the number of trainees to be provided training therein:

(1) Availability of minorities, women, and disadvantaged for training.

(2) The potential for effective training.

(3) Duration of the contract.

(4) Dollar value of the contract.

(5) Total normal work force that the average bidder could be expected to use.

(6) Geographic location.

(7) Type of work.

(8) The need for additional journeymen in the area.

(9) Recognition of the suggested minimum goal for the State.

(10) 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).

(d) Training programs which are established shall be approved only if they meet the standards set forth in appendix B with regard to:

(1) The primary objectives of training and upgrading minority group workers, women and disadvantaged persons.

(2) The development of full journeymen.

(3) The minimum length and type of training.

(4) The minimum wages of trainees.

(5) Trainees certifications.

(6) Keeping records and furnishing reports.

(e)(1) Training programs considered by a State highway agency to meet the standards under this directive shall be submitted to the FHWA division Administrator with a recommendation for approval.

(2) Employment pursuant to training programs approved by the FHWA division Administrator will be exempt from the minimum wage rate provisions of section 113 of title 23 U.S.C. Approval, however, shall not be given to training programs which provide for employment of trainees at wages less than those required by the Special Training Provisions. (Appendix B.)

(f)(1) 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 FHWA 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 equal employment opportunity obligations of the contractor.

(2) 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 clearly approved the program aspects relating to equal employment opportunity and the payment of trainee wage rates in lieu of prevailing wage rates.

(ii) They are reasonably calculated to qualify the average trainees for journeyman 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.

(g) The State highway agencies have the option of permitting Federal-aid highway construction contractors to bid on training to be given under this directive. The following procedures are to be utilized by those State highway agencies that elect to provide a bid item for training:

(1) The number of training positions shall continue to be specified in the Special Training Provisions. Furthermore, this number should be converted into an estimated number of hours of training which is to be used in arriving at the total bid price for the training item. Increases and decreases from the estimated amounts would be handled as overruns or underruns;

(2) A section concerning the method of payment should be included in the Special Training Provisions. Some off-site training is permissible as long as the training is an integral part of an approved training program and does not comprise a substantial part of the overall training. Furthermore, the trainee must be concurrently employed on a federally aided highway construction project subject to the Special Training Provisions attached to this directive. Reimbursement for offsite training may only be made to the contractor where he does one or more of

the following: Contributes to the cost of the training, provides the instruction to the trainee, or pays the trainee's wages during the offsite training period;

(3) A State highway agency may modify the special provisions to specify the numbers to be trained in specific job classifications;

(4) A State highway agency can specify training standards provided any prospective bidder can use them, the training standards are made known in the advertised specifications, and such standards are found acceptable by FHWA.

[40 FR 28053, July 3, 1975; 40 FR 57358, Dec. 9, 1975, as amended at 41 FR 3080, Jan. 21, 1976]

**§ 230.113 Implementation of supportive services.**

(a) The State highway agency shall establish procedures, subject to the availability of funds under 23 U.S.C. 140(b), for the provision of supportive services in support of training programs approved under this directive. Funds made available to implement this paragraph shall not be used to finance the training of State highway agency employees or to provide services in support of such training. State highway agencies are not required to match funds allocated to them under this section.

(b) In determining the types of supportive services to be provided which will increase the effectiveness of approved training programs. State highway agencies shall give preference to the following types of services in the order listed:

(1) Services related to recruiting, counseling, transportation, physical examinations, remedial training, with special emphasis upon increasing training opportunities for members of minority groups and women;

(2) Services in connection with the administration of on-the-job training programs being sponsored by individual or groups of contractors and/or minority groups and women's groups;

(3) Services designed to develop the capabilities of prospective trainees for undertaking on-the-job training;

(4) Services in connection with providing a continuation of training during periods of seasonal shutdown;

(5) Followup services to ascertain outcome of training being provided.

(c) State highway agencies which desire to provide or obtain supportive services other than those listed above shall submit their proposals to the Federal Highway Administration for approval. The proposal, together with recommendations of the division and regional offices shall be submitted to the Administrator for appropriate action.

(d) When the State highway agency provides supportive services by contract, formal advertising is not required by the FHWA, however, the State highway agency shall solicit proposals from such qualified sources as will assure the competitive nature of the procurement. The evaluation of proposals by the State highway agency must include consideration of the proposer's ability to effect a productive relationship with contractors, unions (if appropriate), minority and women groups, minority and women trainees, and other persons or organizations whose cooperation and assistance will contribute to the successful performance of the contract work.

(e) In the selection of contractors to provide supportive services, State highway agencies shall make conscientious efforts to search out and utilize the services of qualified minority or women organizations, or minority or women business enterprises.

(f) As a minimum, State highway agency contracts to obtain supportive services shall include the following provisions:

(1) A statement that a primary purpose of the supportive services is to increase the effectiveness of approved on-the-job training programs, particularly their effectiveness in providing meaningful training opportunities for minorities, women, and the disadvantaged on Federal-aid highway projects;

(2) A clear and complete statement of the services to be provided under the contract, such as services to construction contractors, subcontractors, and trainees, for recruiting, counseling, remedial educational training, assistance in the acquisition of tools, special equipment and transportation, followup procedures, etc.;

(3) The nondiscrimination provisions required by Title VI of the Civil Rights Act of 1964 as set forth in FHWA Form PR-1273, and a statement of nondiscrimination in employment because of race, color, religion, national origin or sex;

(4) The establishment of a definite period of contract performance together with, if appropriate, a schedule stating when specific supportive services are to be provided;

(5) Reporting requirements pursuant to which the State highway agency will receive monthly or quarterly reports containing sufficient statistical data and narrative content to enable evaluation of both progress and problems;

(6) A requirement that the contractor keep track of trainees receiving training on Federal-aid highway construction projects for up to 6 months during periods when their training is interrupted. Such contracts shall also require the contractor to conduct a 6 month followup review of the employment status of each graduate who completes an on-the-job training program on a Federal-aid highway construction project subsequent to the effective date of the contract for supportive services.

(7) The basis of payment;

(8) An estimated schedule for expenditures;

(9) The right of access to contractor and subcontractor records and the right to audit shall be granted to authorize State highway agency and FHWA officials;

(10) Noncollusion certification;

(11) A requirement that the contractor provide all information necessary to support progress payments if such are provided for in the contract;

(12) A termination clause.

(g) The State highway agency is to furnish copies of the reports received under paragraph (b)(5) of this section, to the division office.

[40 FR 28053, July 3, 1975, as amended at 41 FR 3080, Jan. 21, 1976]

**§ 230.115 Special contract requirements for "Hometown" or "Imposed" Plan areas.**

Direct Federal and Federal-aid contracts to be performed in "Hometown"

or “Imposed” Plan areas will incorporate the special provision set forth in appendix G.

**§ 230.117 Reimbursement procedures (Federal-aid highway construction projects only).**

(a) *On-the-job special training provisions.* State highway agencies will be reimbursed on the same pro-rata basis as the construction costs of the Federal-aid project.

(b) *Supportive services.* (1) The State highway agency must keep a separate account of supportive services funds since they cannot be interchanged with regular Federal-aid funds. In addition, these funds may not be expended in a manner that would provide for duplicate payment of Federal or Federal-aid funds for the same service.

(2) Where a State highway agency does not obligate all its funds within the time specified in the particular year’s allocation directive, the funds shall revert to the FHWA Headquarters Office to be made available for use by other State highway agencies, taking into consideration each State’s need for and ability to use such funds.

**§ 230.119 Monitoring of supportive services.**

Supportive services procured by a State highway agency shall be monitored by both the State highway agency and the division office.

**§ 230.121 Reports.**

(a) Employment reports on Federal-aid highway construction contracts not subject to “Hometown” or “Imposed” plan requirements.

(1) Paragraph 10c of the special provisions (appendix A) sets forth specific reporting requirements. FHWA Form PR-1391, Federal-Aid Highway Construction Contractors Annual EEO Report, (appendix C) and FHWA Form PR 1392, Federal-Aid Highway Construction Summary of Employment Data (including minority breakdown) for all Federal-Aid Highway Projects for month ending July 31st, 19—, (appendix D) are to be used to fulfill these reporting requirements.

(2) Form PR 1391 is to be completed by each contractor and each subcontractor subject to this part for every

month of July during which work is performed, and submitted to the State highway agency. A separate report is to be completed for each covered contract or subcontract. The employment data entered should reflect the work force on board during all or any part of the last payroll period preceding the end of the month. The State highway agency is to forward a single copy of each report to the FHWA division office.

(3) Form PR 1392 is to be completed by the State highway agencies, summarizing the reports on PR 1391 for the month of July received from all active contractors and subcontractors. Three (3) copies of completed Forms PR 1392 are to be forwarded to the division office.

(b) Employment reports on direct Federal highway construction contracts not subject to “Hometown” or “Imposed” plan requirements. Forms PR 1391 (appendix C) and PR 1392 (appendix D) shall be used for reporting purposes as prescribed in § 230.121(a).

(c) Employment reports on direct Federal and Federal-aid highway construction contracts subject to “Hometown” or “Imposed” plan requirements.

(1) Reporting requirements for direct Federal and Federal-aid highway construction projects located in areas where “Hometown” or “Imposed” plans are in effect shall be in accordance with those issued by the U.S. Department of Labor, Office of Federal Contract Compliance.

(2) In order that we may comply with the U.S. Senate Committee on Public Works’ request that the Federal Highway Administration submit a report annually on the status of the equal employment opportunity program, Form PR 1391 is to be completed annually by each contractor and each subcontractor holding contracts or subcontracts exceeding \$10,000 except as otherwise provided for under 23 U.S.C. 117. The employment data entered should reflect the work force on board during all or any part of the last payroll period preceding the end of the month of July.

(d) [Reserved]

(e) Reports on supportive services contracts. The State highway agency is

to furnish copies of the reports received from supportive services contractors to the FHWA division office which will furnish a copy to the regional office.

[40 FR 28053, July 3, 1975, as amended at 43 FR 19386, May 5, 1978; 61 FR 14616, Apr. 3, 1996]

#### APPENDIX A TO SUBPART A OF PART 230—SPECIAL PROVISIONS

##### SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES

1. *General.* a. Equal employment opportunity requirements not to discriminate and to take affirmative action to assure equal employment opportunity as required by Executive Order 11246 and Executive Order 11375 are set forth in Required Contract, Provisions (Form PR-1273 or 1316, as appropriate) and these Special Provisions which are imposed pursuant to section 140 of title 23 U.S.C., as established by section 22 of the Federal-Aid Highway Act of 1968. The requirements set forth in these Special Provisions shall constitute the specific affirmative action requirements for project activities under this contract and supplement the equal employment opportunity requirements set forth in the Required Contract Provisions.

b. The contractor will work with the State highway agencies and the Federal Government in carrying out equal employment opportunity obligations and in their review of his/her activities under the contract.

c. The contractor and all his/her subcontractors holding subcontracts not including material suppliers, of \$10,000 or more, will comply with the following minimum specific requirement activities of equal employment opportunity: (The equal employment opportunity requirements of Executive Order 11246, as set forth in volume 6, chapter 4, section 1, subsection 1 of the Federal-Aid Highway Program Manual, are applicable to material suppliers as well as contractors and subcontractors.) The contractor will include these requirements in every subcontract of \$10,000 or more with such modification of language as is necessary to make them binding on the subcontractor.

2. *Equal Employment Opportunity Policy.* The contractor will accept as his operating policy the following statement which is designed to further the provision of equal employment opportunity to all persons without regard to their race, color, religion, sex, or national origin, and to promote the full realization of equal employment opportunity through a positive continuing program:

It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment,

without regard to their race, religion, sex, color, or national origin. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, preapprenticeship, and/or on-the-job training.

3. *Equal Employment Opportunity Officer.* The contractor will designate and make known to the State highway agency contracting officers and equal employment opportunity officer (hereinafter referred to as the EEO Officer) who will have the responsibility for and must be capable of effectively administering and promoting an active contractor program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

4. *Dissemination of Policy.* a. All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's equal employment opportunity policy and contractual responsibilities to provide equal employment opportunity in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

(1) Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's equal employment opportunity policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

(2) All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer or other knowledgeable company official, covering all major aspects of the contractor's equal employment opportunity obligations within thirty days following their reporting for duty with the contractor.

(3) All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer or appropriate company official in the contractor's procedures for locating and hiring minority group employees.

b. In order to make the contractor's equal employment opportunity policy known to all employees, prospective employees and potential sources of employees, *i.e.*, schools, employment agencies, labor unions (where appropriate), college placement officers, etc., the contractor will take the following actions:

(1) Notices and posters setting forth the contractor's equal employment opportunity

policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

(2) The contractor's equal employment opportunity policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

5. Recruitment. a. When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be published in newspapers or other publications having a large circulation among minority groups in the area from which the project work force would normally be derived.

b. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants, including, but not limited to, State employment agencies, schools, colleges and minority group organizations. To meet this requirement, the contractor will, through his EEO Officer, identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority group applicants may be referred to the contractor for employment consideration.

In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, he is expected to observe the provisions of that agreement to the extent that the system permits the contractor's compliance with equal employment opportunity contract provisions. (The U.S. Department of Labor has held that where implementation of such agreements have the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Executive Order 11246, as amended.)

c. The contractor will encourage his present employees to refer minority group applicants for employment by posting appropriate notices or bulletins in areas accessible to all such employees. In addition, information and procedures with regard to referring minority group applicants will be discussed with employees.

6. *Personnel Actions.* Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, or national origin. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities

do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with his obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of his avenues of appeal.

7. *Training and Promotion.* a. The contractor will assist in locating, qualifying, and increasing the skills of minority group and women employees, and applicants for employment.

b. Consistent with the contractor's work force 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. Where feasible, 25 percent of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training. In the event the Training Special Provision is provided under this contract, this subparagraph will be superseded as indicated in Attachment 2.

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of minority group and women employees and will encourage eligible employees to apply for such training and promotion.

8. *Unions.* If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use his/her best efforts to obtain the cooperation of such unions to increase opportunities for minority groups and women within the unions, and to effect referrals by such unions of minority and female employees. Actions by the contractor either directly or through a contractor's association acting as agent will include the procedures set forth below:

a. The contractor will use best efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minority group members and women for membership in the unions and increasing the skills of minority group employees and women so that they may qualify for higher paying employment.

b. The contractor will use best efforts to incorporate an equal employment opportunity clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, or national origin.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the State highway department and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of minority and women referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, or national origin; making full efforts to obtain qualified and/or qualifiable minority group persons and women. (The U.S. Department of Labor has held that it shall be no excuse that the union with which the contractor has a collective bargaining agreement providing for exclusive referral failed to refer minority employees.) In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the State highway agency.

9. *Subcontracting.* a. The contractor will use his best efforts to solicit bids from and to utilize minority group subcontractors or subcontractors with meaningful minority group and female representation among their employees. Contractors shall obtain lists of minority-owned construction firms from State highway agency personnel.

b. The contractor will use his best efforts to ensure subcontractor compliance with their equal employment opportunity obligations.

10. *Records and Reports.* a. The contractor will keep such records as are necessary to determine compliance with the contractor's equal employment opportunity obligations. The records kept by the contractor will be designed to indicate:

(1) The number of minority and non-minority group members and women em-

ployed in each work classification on the project.

(2) The progress and efforts being made in cooperation with unions to increase employment opportunities for minorities and women (applicable only to contractors who rely in whole or in part on unions as a source of their work force),

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minority and female employees, and

(4) The progress and efforts being made in securing the services of minority group subcontractors or subcontractors with meaningful minority and female representation among their employees.

b. All such records must be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the State highway agency and the Federal Highway Administration.

c. The contractors will submit an annual report to the State highway agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form PR 1391. If on-the-job training is being required by "Training Special Provision", the contractor will be required to furnish Form FHWA 1409.

[40 FR 28053, July 3, 1975, as amended at 43 FR 19386, May 5, 1978. Correctly redesignated at 46 FR 21156, Apr. 9, 1981]

#### APPENDIX B TO SUBPART A OF PART 230—TRAINING SPECIAL PROVISIONS

This Training Special Provision supersedes subparagraph 7b of the Special Provision entitled "Specific Equal Employment Opportunity Responsibilities," (Attachment 1), and is in implementation of 23 U.S.C. 140(a).

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

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

The number of trainees to be trained under the special provisions will be \_\_\_\_\_ (amount to be filled in by State highway department).

In the event that a contractor subcontracts a portion of the contract work, he 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 imposed by this special provision. The contractor shall also insure that this training

special provision 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.

The number of trainees shall be distributed among the work classifications on the basis of the contractor's needs and the availability of journeymen in the various classifications within a reasonable area of recruitment. Prior to commencing construction, the contractor shall submit to the State highway agency for approval the number of trainees to be trained in each selected classification and training program to be used. Furthermore, the contractor shall specify the starting time for training in each of the classifications. The contractor will be credited for each trainee employed by him on the contract work who is currently enrolled or becomes enrolled in an approved program and will be reimbursed for such trainees as provided hereinafter.

Training and upgrading of minorities and women toward journeymen status is a primary objective of this Training Special Provision. Accordingly, the contractor shall make every effort to enroll minority trainees and women (e.g., by conducting systematic and direct recruitment through public and private sources likely to yield minority and women trainees) to the extent that such persons are available within a reasonable area of recruitment. The contractor will be responsible for demonstrating the steps that he has taken in pursuance thereof, prior to a determination as to whether the contractor is in compliance with this Training Special Provision. 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.

No employee shall be employed as a trainee in any classification in which he has successfully completed a training course leading to journeyman status or in which he has been employed as a journeyman. The contractor should 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 should document the findings in each case.

The minimum length and type of training for each classification will be as established in the training program selected by the contractor and approved by the State highway agency and the Federal Highway Administration. The State highway agency and the Federal Highway Administration shall approve a program if it is reasonably calculated to meet the equal employment opportunity obligations of the contractor and to qualify the average trainee for journeyman status in the classification concerned by the end of the training period. Further-

more, apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training, or with a State apprenticeship agency recognized by the Bureau and training programs approved but not necessarily sponsored by the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training shall also 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 the State prior to commencing work on the classification covered by the program. It is the intention of these provisions that training is to be provided in the construction crafts rather than clerk-typists or secretarial-type positions. Training is permissible in lower level management positions such as office engineers, estimators, timekeepers, etc., where the training is oriented toward construction applications. Training in the laborer classification may be permitted provided that significant and meaningful training is provided and approved by the division office. Some offsite training is permissible as long as the training is an integral part of an approved training program and does not comprise a significant part of the overall training.

Except as otherwise noted below, the contractor will be reimbursed 80 cents per hour of training given an employee on this contract in accordance with an approved training program. As approved by the engineer, reimbursement will be made for training persons in excess of the number specified herein. This reimbursement will be made even though the contractor receives additional training program funds from other sources, provided such other does not specifically prohibit the contractor from receiving other reimbursement. Reimbursement for offsite training indicated above may only be made to the contractor where he does one or more of the following and the trainees are concurrently employed on a Federal-aid project; contributes to the cost of the training, provides the instruction to the trainee or pays the trainee's wages during the offsite training period.

No payment shall be made to the contractor if either the failure to provide the required training, or the failure to hire the trainee as a journeyman, is caused by the contractor and evidences a lack of good faith on the part of the contractor in meeting the requirements of this Training Special Provision. It is normally expected that a trainee will begin his training on the project as soon as feasible after start of work utilizing the skill involved and remain on the project as long as training opportunities exist in his work classification or until he has completed his training program. It is not required that all trainees be on board for the entire length

of the contract. A contractor will have fulfilled his responsibilities under this Training Special Provision if he has provided acceptable training to the number of trainees specified. 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 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 in an approved existing program 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 who are covered by this Training Special Provision.

The contractor shall furnish the trainee a copy of the program he 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 performance under this Training Special Provision.

[40 FR 28053, July 3, 1975. Correctly redesignated at 46 FR 21156, Apr. 9, 1981]



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