

Appendix D

**(SAMPLE)**  
**QUALIFICATIONS AND SELECTION  
PROCEDURES**

**ADOPTED BY**

**(INSERT NAME OF EMPLOYER)**

**INTERNATIONAL UNION OF PAINTERS  
AND ALLIED TRADES  
FINISHING TRADES INSTITUTE**

DEVELOPED IN COOPERATION WITH THE  
U. S. DEPARTMENT OF LABOR  
OFFICE OF APPRENTICESHIP

APPROVED BY: \_\_\_\_\_  
REGISTRATION AGENCY

DATE APPROVED: \_\_\_\_\_

The certification of this selection procedure is not a determination that, when implemented, it meets the requirements of the Uniform Guidelines on Employee Selection Procedures (41 CFR, part 60-3) or 29 CFR part 30. Note that selection procedures may need to be modified to provide reasonable accommodations to qualified individuals with disabilities.

## **SECTION I. - MINIMUM QUALIFICATIONS (EXAMPLES)**

Apprenticeship applications will be accepted on the basis that applicants have met and shown documented proof of all required minimum qualifications at the time of application.

Apprenticeship applicants must meet the following minimum qualifications:

### A. Age

All applicants must be at least eighteen (18) years of age *\*except as noted below*. Applicants are required to submit reliable proof of age (e.g., a driver's license, birth certificate or other acceptable documentation).

### B. Education

A high school diploma or GED is required. Applicants are required to submit reliable proof of education (e.g., a high school transcript or GED scores).

All applicants must possess sufficient educational knowledge to satisfactorily complete the OJL and RI.

### C. Physical

The Applicant shall be physically capable of performing the essential functions of the apprenticeship program without posing a direct threat to the health and safety of themselves or any other individuals, with reasonable accommodations.

*\*An applicant who is seventeen (17) years of age and is participating in a school-to-work program or equivalent and who otherwise meets all qualifications may be rated and ranked and placed on the Pool of Eligible's list. Such an applicant must provide proof that a high school diploma or GED has been awarded and must be eighteen (18) years of age prior to being registered by the sponsor.*

## **SECTION II. - APPLICATION PROCEDURES (SAMPLE LANGUAGE)**

- A. Applications will be made available to anyone who is interested (**throughout the year or as specified**). Anyone who takes an application will be required to sign an applicant log.
- B. The fact that applications and apprenticeship opportunities are available shall be made known as specified in the Affirmative Action Plan.

- C. All applications will be identical in form and requirements. The application form shall be numbered in sequence corresponding with the number appearing on the applicant log in order to account for all applications. Applications will be tracked to show race/ethnic and sex identification and the progress by dates and final disposition of each application.
- D. Before completing the full application process, each applicant will be required to review the Apprenticeship Standards and be given a copy of the complaint procedure. If the applicant has any additional questions on the qualifications or needs additional information to complete the application, it will be provided by the JATC.
- E. Receipt of the properly completed application form, along with required supporting documents (proof of age, driver's license, birth certificate or other acceptable documentation; copy of high school diploma, GED Certificate or other acceptable documentation) will constitute a completed application.
- F. Completed applications will be reviewed to insure that all of the minimum qualifications have been met. Applicants deficient in one or more qualifications or requirements or making false statements on their application will be notified in writing of their disqualification. The applicant will also be notified of the right to appeal his/her disqualification. Once an application has been disqualified, no further processing will be conducted.
- G. Applicants meeting all of the minimum qualifications and submitting the required supporting documents will be notified where and when to appear for an interview.
- H. Should the JATC find they have enough applications to meet the future labor needs for the Counties, Cities and Municipalities governed by these standards, the JATC retains the authority to stop accepting applications.
- I. Application procedures which utilize electronic processes to accomplish any or all of the relevant steps A. through H. above shall be deemed to be consistent with these procedures, provided such procedures meet all the requirements that apply to non-electronic procedures (e.g., maintenance of records).

**OPTION 1 – RANK POOL OF ELIGIBLES:**

**SECTION III - INTERVIEW PROCEDURES (EXAMPLE)**

- A. The JATC will schedule the interview and evaluation session. All applicants who have met the basic qualifications and have submitted the required documents will be notified of the date, time, and place to appear.

- B. The Interview Committee will have in its possession for review with regard to each applicant: application form, education verification and proof of age.
- C. After a brief introduction, the committee will ask questions of the applicant with the purpose of finding out as much as possible about the individual and about the capacity to participate in the apprenticeship program.
- D. Questions for the interview and for purposes of evaluation will be on topics related to job performance such as: work experience, school record, mechanical ability, motivation and vocational training.
- E. Evaluation should be based on a standard of industry needs and not by a comparison with other applicants.
- F. The same questions should be asked of each applicant.
- G. The interviewer(s) will rate each applicant during the interview on each of the factors on the applicant rating form.

#### **SECTION IV – SELECTION FROM THE COMMITTEE**

- A. The number of new apprentices to be accepted will be determined before starting interviews. The number will be based on the needs of the industry areas governed by these standards.
- B. Selection of individuals from the list of interviewed applicants will not be made until all interview sessions are complete and all applicants have been evaluated.
- C. The interviewer(s) will rate each applicant during the interview on each of the factors on the applicant rating form taking into account the information on the application and required documents, if applicable. The interviewer will record the questions asked and the general nature of the applicant's answers. The interviewer will then prepare a written summary of his/her judgment of the applicant derived from the interview. After completing the interview and evaluation of the applicants, the individual rating scores of the interviewer(s) will be added together and averaged to determine the applicant's final rating.
- D. Applicants will be placed on a "Ranking List" according to their scores at the evaluation session, with the applicant having the highest score being at the top of the list, and all applicants then listed in descending order based on score.

- E. As openings for the registration of new apprentices occur, the highest ranked applicant will be notified of selection by telephone. It will be the responsibility of the applicant to keep the JATC informed of their current mailing address and telephone number.
- F. Selected applicants must respond to the notice of selection within forty-eight (48) hours of notice. If applicants cannot be reached by telephone, their names will be passed and notice sent to their address by "Certified Mail-Return Receipt Requested" to determine if the applicants are still interested. If no response is received in fifteen (15) working days from the written notice, the applicant's name will be removed from the list. Only one certified notice will be mailed.
- G. Qualified applicants remaining on a preceding ranking list will automatically be carried forward on the new ranking list and slotted in wherever their rating score placed them for a period of two (2) years, unless the applicant has been removed from the list by their own written request or following failure to respond to an apprentice opening. Applicants who were not placed during the two (2)- year period that were on the ranking list, will be required to reapply.
- H. During the two (2)-year period, applicants who feel that their qualifications have improved since their original rating may submit documented evidence of such additional experience or training and request reevaluation and rating at the next regular processing cycle.
- I. Any applicant who feels that he/she was wrongfully denied entry to the apprenticeship program may appeal the decision using the applicant appeals procedure described below in Section VIII.

**OPTION 2 - INTENT TO HIRE:**

**SECTION IV - SELECTION PROCEDURES**

- A. Applicants meeting all qualifications and requirements of the Apprenticeship Standards will be notified by the JATC.
- B. Applicants who are accepted by the JATC as eligible for apprenticeship are provided a Statement of Eligibility form, and then referred to participating contractors who are hiring.
- C. When the Applicant is accepted by a Employer, he/she must return to the JATC with a completed, signed Intent to Hire form indicating the starting date of employment.

- D. The eligible Applicant will be registered by the JATC upon receipt of the completed and signed Intent to Hire form.
- E. The Employer will keep a list of all Applicants interviewed, along with the time and date and name of the person who conducted the interview. This list will be sent to the JATC at least once each quarter.
- F. Each applicant will have 30 calendar days to secure employment.
- G. At the end of 30 days, one attempt will be made to contact the applicant by telephone to verify continued interest. If applicant cannot be reached by telephone, one "Certified Mail-Return Receipt Requested" will be sent to the applicant notifying him/her that the 30 days allotted search for employment has expired. The letter will state that if the applicant is still interested in pursuing apprenticeship they must contact the JATC's office. If the applicant does not respond within 21 calendar days, then he/she will be disqualified and will need to reapply.
- H. Any applicant who feels that he/she was wrongfully denied entry to the apprenticeship program may appeal the decision using the applicant appeals procedure described below in Section VIII.

#### **SECTION V – DIRECT ENTRY FOR JOB CORPS GRADUATES AND APPLICANTS FROM RECOGNIZED PREPARATORY PROGRAMS**

The JATC encourages preparatory/pre-apprenticeship craft training to facilitate entry into apprenticeship. Youth who complete a Job Corps training program in any occupation covered in these Standards, who meet the minimum qualifications of the apprenticeship program, may be admitted directly into the program, or if no apprentice opening is available, the Job Corps graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The JATC will evaluate the Job Corps training received for granting appropriate credit on the term of apprenticeship. Entry of Job Corps graduates will be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***

Consequently, applicants who successfully complete the application process for apprenticeship and are entering through a recognized preparatory program (such as the Helmets to Hardhats Program and recognized Native American programs) shall be evaluated, in terms of their prior experience, through hands on proficiencies as well as be subject to a written General Knowledge questionnaire. They will then be placed within the program at the point that corresponds with their proven experience. Entry of applicants from Helmets to Hardhats and other recognized preparatory programs shall be done without regard to race, color, religion, national origin, or sex.

## **SECTION VI - COMPLAINT PROCEDURE**

- A. Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex, with regard to apprenticeship or that the equal opportunity standards with respect to his/her selection have not been followed in the operation of an apprenticeship program, may personally or through an authorized representative, file a complaint with the Registration Agency or, at the apprentice or applicant's election, with the private review body established by the JATC (if applicable).
- B. The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the JATC involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.
- C. The complaint must be filed not later than 180 days from the date of the alleged discrimination or specified failure to follow the equal opportunity standards, and, in the case of complaints filed directly with the review bodies designated by the JATC to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the Registration Agency for good cause shown.
- D. Complaints of discrimination in the apprenticeship program may be filed and processed under Title 29, CFR part 30, and the procedures as set forth above.
- E. The JATC will provide written notice of their complaint procedure to all applicants for apprenticeship and all apprentices.

## **SECTION VII - MAINTENANCE OF RECORDS**

The JATC will keep adequate records including a summary of the qualifications of each applicant, the basis for evaluation and for selection or rejection of each applicant, the records pertaining to interviews of applicants, the original application for each applicant, information relative to the operation of the apprenticeship program, including, but not limited to, job assignment, promotion, demotion, layoff, or termination, rates of pay or other forms of compensation or conditions of work, hours including hours of work and, separately, hours of training provided, and any other records pertinent to a determination of compliance with the regulations at Title 29, CFR part 30, as may be required by the U.S. Department of Labor. The records pertaining to individual applicants, selected or rejected, will be maintained in such manner as to permit the identification of minority and women (minority and non-minority) participants.

Each JATC must retain a statement of its AAP for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analysis made pursuant to the requirements of Title 29, CFR part 30.4. Each JATC also must maintain evidence that its qualification standards have been validated in accordance with the requirements set forth in Title 29, CFR part 30.5(b).

In addition to the above requirements, adequate records will include a brief summary of each interview and the conclusions on each of the specific factors, e.g., motivation, ambition, and willingness to accept direction which are part of the total judgment. Records will be maintained for five (5) years from the date of last action and made available upon request to the U.S. Department of Labor or other authorized representative.

### **SECTION VIII – APPRENTICE APPLICANT APPEALS PROCEDURES**

An appeals committee will be established composed of one member appointed by labor and one member appointed by management. Each organization shall appoint its own representative on the appeals committee in any matter that they choose, as long as that individual is not serving on the apprenticeship committee. The authority of the appeals committee shall be limited to rendering a decision on cases involving unjust treatment of applicants for the apprenticeship program. The process for appeal includes the following:

- A. An appeal must be submitted in writing to the local JATC within fifteen (15) days of the date of receipt of notification of rejection to the apprenticeship program.
- B. The local JATC shall submit the appeal and the materials regarding the disposition of the applicant to the appeals committee.
- C. The Appeals Committee will consider the written evidence and a hearing will be granted.
- D. A final decision shall be rendered within thirty (30) days of the hearing and all parties concerned shall be notified in writing by the Appeals Committee.
- E. Decisions of the Appeals Committee shall be final and binding upon both the JATC and the applicant.
- F. A copy of the appeal and the disposition will be kept on file for a period of at least five (5) years.

**SECTION IX - OFFICIAL ADOPTION OF SELECTION PROCEDURES**

The **(Insert Name of Employer) (Insert Name of Union Or Labor Organization)** hereby officially adopts these Selection Procedures on this \_\_\_\_\_ Day of **(Insert Month/Year)**.

\_\_\_\_\_  
**Signature of Management**

\_\_\_\_\_  
**Signature of Labor**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Printed Name**

*Sponsor(s) may designate the appropriate person(s) to sign the Standards on their behalf.*