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## CHAPTER 5: OJT TRAINING PROGRAM

### 5.1 THE FDOT OJT TRAINING PROGRAM

#### 5.1.1 Purpose of OJT Training Program

The Federal Highway Administration (FHWA) as directed by the United States Code of Federal Regulations (USC), Title 23 requires all state highway agencies to establish and utilize OJT Training (OJT) on federally funded construction projects.

FDOT's OJT program is established in accordance with Federal Regulations (23 C.F.R. 230 as authorized under 23 USC 140(a)) and it is detailed in FDOT Standard Specification for Road and Bridge Construction number 7-25, "OJT Requirements."

The primary objective of this program is to train and upgrade minorities, women, and disadvantaged persons toward journey level status to ensure that a competent workforce is available to meet highway construction hiring needs, and to address the historical under-representation of members of these groups in highway construction skilled crafts.

Contractors are to make every effort to staff their trainee positions with men and women of all races, to maintain and advance diversity in their company's Equal Employment Opportunity (EEO) Job Categories, while ensuring that there is no discrimination against any candidate for training, regardless of race or sex.

This chapter outlines the forms and procedures required for achieving compliance with the OJT Special Provisions.

#### 5.1.2 OJT Training Requirements

The District Compliance Office (DCO) conducts a Training Evaluation Meeting (TEM) with the prime contractor prior to the start of construction to identify opportunities to apply the OJT program for improving workforce diversity, finalize the required number of trainees for the project, identify training classifications, develop proficiencies to be performed for graduation, and establish the initial OJT schedule.

1. Trainees are not required for contracts with an original contract time allowance of *less than 275* calendar days or a construction dollar amount less than \$2 million dollars.
2. If the original contract time allowance is 275 calendar days or more and the construction dollar amount is equal to or above \$2 million, the number of trainees is established in accordance with the estimated contract amount. (See Table 5.1.2).
3. Trainees are not required on contracts where no federal funds are assigned.

Table 5.1.2, Number of Required Trainees Based on Estimated Contract Amount, assigns the maximum number of trainees for various contract amounts. The "Estimated Contract

Amount” may vary from the contract award amount due to the elimination of non-trainable pay items.

**Table 5.1.2 Number of Required Trainees Based on Estimated Contract Amount**

<b>Estimated Contract Amount</b>	<b>Trainees Required</b>
\$2,000,000 or Less	0
Over \$2,000,000 to \$4,000,000	2
Over \$4,000,000 to \$6,000,000	3
Over \$6,000,000 to \$12,000,000	5
Over \$12,000,000 to \$18,000,000	7
Over \$18,000,000 to \$24,000,000	9
Over \$24,000,000 to \$31,000,000	12
Over \$31,000,000 to \$37,000,000	13
Over \$37,000,000 to \$43,000,000	14
Over \$43,000,000 to \$49,000,000	15
Over \$49,000,000 to \$55,000,000	16
Over \$55,000,000 to \$62,000,000	17
Over \$62,000,000 to \$68,000,000	18
Over \$68,000,000 to \$74,000,000	19
Over \$74,000,000 to \$81,000,000	20
Over \$81,000,000 to \$87,000,000	21
Over \$87,000,000 to \$93,000,000	22
Over \$93,000,000 to \$99,000,000	23
Over \$99,000,000 to \$105,000,000	24
Over \$105,000,000 to \$112,000,000	25
Over \$112,000,000 to \$118,000,000	26
Over \$118,000,000 to \$124,000,000	27
Over \$124,000,000 to \$130,000,000	28
One additional trainee per \$6,000,000 of Estimated Contract Amount over \$130,000,000	

### 5.1.3 Approved Training Classifications

Each OJT classification has a curriculum of typical topics that the trainee is to learn/accomplish in order to reach a minimum level of capable performance in the classification as demonstrated through their performance of classification specific, pre-defined proficiencies. With approval from FDOT, contractors may modify the typical curriculum topics in the Training Classifications to better address their workplace and skill needs, however the specified number of hours required for training will remain unchanged.

Graduation requires the accumulation of a specified number of qualifying project work hours and the successful performance of predefined proficiencies. The District Contract Compliance Manager (DCCM) with the assistance of the Resident Compliance Specialist (RCS) or their delegate will monitor adherence to OJT schedules, verify accumulation of OJT hours using certified payrolls, schedule proficiency observations and process graduation.

<b>Training Classification Monthly Time Report FDOT Form No. 275-030-30</b>	<b>Minimum Total hours</b>	<b>Maximum Total hours</b>
Antennae & Transmission Installer/Tester	150	300
Asphalt/Bridge Deck Screed Operator	200	400
Asphalt Distributor	250	500
Asphalt Luteman/Raker	200	400
Asphalt Paving Machine Operator	200	400
Asphalt Plant Drier Operator	250	500
Asphalt Shuttle Buggy Operator	250	400
Backhoe Operator	250	500
Bulldozer Operator	350	500
Carpenter-Highway or Bridge	350	700
Concrete Curb/Sidewalk Machine Oper.	275	400
Concrete Finisher (Highway)	275	400
Concrete Paving Finishing Machine	275	400
Concrete Paving Machine/Spreader	275	400
Concrete Paving Sub Grade Operator	275	400
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel Operator	500	850
Deckhand	250	450
Equipment Maintenance Technician	360	700
Earth Wall Erector	300	500

Erosion Control Specialist	250	350
Form/Curb and Gutter Builder	300	500
Front End Loader Operator	250	500
Grade Checker	250	400
Guardrail Erector	200	400
Installer/Tester –Antenna/Transmission	150	300
Instrument Person	250	400
Ironworker, Reinforcing -Hwy/bridge	300	600
Ironworker, Structural –Hwy/ Bridge	300	600
Landscape Worker	200	300
Mason	275	400
Mechanic	360	700
Milling Machine Operator	200	350
Mixer Operator	250	500
Motor Grader Operator	400	750
Painter, Highway or Bridge	200	400
Pavement Marking Machine Operator	250	400
Pile Driver	500	700
Pile Driver Leadsman	200	400
Pipe layer	250	400
Roller Operator (Rough or Finish)	250	400
Scraper/ Pan Operator	250	400
Sign Erector	250	350
Sound Wall Erector	300	400
Stone and Aggregate Spreader Operator	150	300
Sweeper Operator	250	360
Tractor Operator	250	350
Traffic Control Specialist	250	350
Traffic Signalization Installer/Mechanic	300	500
Trenching Machine Operator	250	500
Truck Driver	250	350
Electronics Installer	275	400

#### **5.1.4 Requesting Approval for Additional Training Classifications**

Contractors may request additional OJT classifications that are supported by the work on their projects. A contract's work and/or the equipment to be used, provides the opportunity to train in classifications other than the standard approved classifications.

Additional training classifications may be approved for use on a contract under the following conditions:

1. FDOT's project administrator concurs that the work of the contract is sufficient and meaningful enough to support training in the additional classification.
2. A journeyman is available to instruct the trainee.
3. The contractor has developed a monthly time report detailing the training curriculum and has established the minimum and maximum training hours and proficiency standards that will be required.
4. A Wage Determination has been received for the pay rate of the proposed classification at journey level status, if applicable.

The ***Project Request for a new OJT Classification, Form 275-021-14*** is provided for the prime contractor's use in summarizing information required for approval of an

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additional classification. The completed form is forwarded to the DCCM for submission to the Equal Opportunity Office (EOO) for review and approval.

If use of the classification is approved for the project, then the prime contractor may submit the ***Proficiency Record of OJT Form 275-021-01*** and the ***Trainee Enrollment and Notice of Personnel Action Form 275-020-08***.

Additional classifications are approved on a contract specific basis. If the classification proves to be a meaningful addition in the development of the construction industry workforce, the classification may be added to the list of approved classifications.

### **5.1.5 Criteria for Contractor Fulfillment of Trainee Requirements**

The following criteria will be used in determining whether or not the Contractor has complied with the Training Special Provision as it relates to the number of trainees to be trained:

1. Credit will be allowed for each trainee that is both enrolled and satisfactorily completes training on a contract.
2. Credit will be allowed for each trainee that has been previously enrolled in FDOT's approved training program on another contract and continues training in the same classification for a significant period and completes his/her training after the transfer has been processed and approved.
3. Credit will be allowed for each trainee who, due to the amount of work available in his/her classification, is given the greatest practical amount of training on the contract regardless of whether or not the trainee completes training. The trainee must meet the requirements regarding the proficiency demonstration.
4. Credit will be allowed for any training position indicated in the approved OJT schedule, if the contractor can demonstrate that a good faith effort was made to provide training in that classification.
5. No credit will be allowed for a trainee whose employment with the contractor is involuntarily terminated, unless the contractor can clearly demonstrate good cause for this action.
6. Offsite 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.

Credit for offsite training may only be given to the contractor where he or she 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; and/or pays the trainee's wages during the offsite training period.

The prime contractor is responsible for satisfactorily fulfilling the number of trainees agreed upon for the contract. To ensure overall growth of the workforce versus continuous training of current employees, where feasible, 25% of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training. A contractor will have

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fulfilled his responsibilities if he/she has provided acceptable training to the number of trainees specified.

### **5.1.6 Training by Subcontractors**

In the event the prime contractor subcontracts a portion of the contract work, the contractor shall determine how many, if any, of the trainee requirements are to be fulfilled by the subcontractor. The prime contractor shall retain the primary responsibility for meeting the training requirements imposed by the training special provision.

The prime contractor can apply the requirements of the training special provisions to subcontracts but is responsible for ensuring the subcontractor is knowledgeable and abides by the requirements of the FDOT OJT program. Care should be taken to ensure that each enrolling subcontractor maintains a reasonable and effective ratio of trainees to journey level positions on the project and in the company's overall workforce.

### **5.1.7 Trainee Wages**

An ***Additional Classification Request*** is to be submitted through the Classification Request Manager prior to the enrollment of a trainee for any classification to be trained that is not included on the wage decision/wage table of the project the trainee is assigned. This classification will be assigned to the person training the trainee (the journey level instructor), if applicable.

The contractor shall compensate the trainee at no less than the lowest existing laborer rate established in the contract at the onset of training. This compensation rate is to be increased to the journeyman's wage for that classification upon graduation from the training program if the trainee continues to work in the classification.

### **5.1.8 Training Program Communication**

Prior to beginning training, the contractor shall furnish the trainee a copy of the monthly time report and the approved proficiencies for the training classification. The trainee should be advised they will receive a trainee identification card and a copy of their monthly time report reflecting hours to date. Graduation should be fully explained including required hours, the proficiency observation process, and the graduation certificate.

## **5.2 POST-PRECONSTRUCTION TRAINEE EVALUATION MEETING**

### **5.2.1 Purpose**

A Post Preconstruction Trainee Evaluation Meeting (TEM) will be held prior to the start of construction for all contracts which meet the project criteria for OJT. The goal of the meeting is to develop the project specific OJT plan, to finalize the number of trainees that will be required on a contract, to identify training classifications to be used, to develop

and approve Proficiency Statements for those classifications, and to develop and approve the initial OJT Schedule.

### **5.2.2 Meeting Timeframe, Announcement and Attendees**

The DCCM or designee schedules and conducts the TEM. The TEM occurs after the Preconstruction Conference and no more than thirty (30) days prior to the beginning of construction. A date may be set outside of this timeframe provided it is agreeable to all attendees.

The goal of the meeting is to develop the project specific OJT plan and be ready for implementation by the first day of construction. Required attendees include the prime contractor's Project Manager, FDOT's Project Administrator, and the RCS. Other interested persons such as the contractor's EEO Officer, Project Manager and/or staff of subcontractors who will enroll trainees may also attend.

Written notification of the meeting's date, time, location and required attendees will be issued to the prime by FDOT. The prime contractor will be informed to bring the following required documents and reports to the Meeting:

1. **Company Wide EEO Report Form 275-021-07** of prime contractor and each subcontractor who may enroll trainees. That report is to be based on the following date which is at least 30 days prior to the meeting date: March 20, June 20, September 20, or December 20.
2. Executed Bid Blank
3. Project Schedule
4. Schedule of Values
5. Project Wage Determination(s)
6. If the project includes design or other professional services, the following breakdown of contract data is also required:
  - Design and other professional services days and dollar amounts
  - Construction days and dollar amounts
  - Total contract award
  - Construction begin date and estimated completion date

In the event the project work schedule is not available on the date of the meeting, the initial OJT Schedule will be established for the number of trainees identified in Table 5.1.2 Estimate of Trainees Based on Contract Amount and may be revised thereafter.

### **5.2.3 Agenda for Training Evaluation Meeting**

The minimum subjects included as agenda items for the TEM are shown in Table 5.2.3., Agenda for TEM, below.

#### **Table 5.2.3 Agenda for Training Evaluation Meeting**

EEO Contract Compliance Manual, Chapter 5 OJT Training
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Number of trainees required, contract award amount, estimated contract amount, scope and schedule of work
Workforce diversity, under-utilization, minority and female availability
Training classifications; minimum length and type of training for each classification
Trainee enrollment criteria including options for contractors whose workforce has reasonable representation of employees by race and sex (particularly minorities, females, and the disadvantaged)
Trainee enrollments, transfers, terminations
Monthly Time Reports
Graduation requirements
The OJT Schedule and revision requirements
Proficiencies and proficiency observations
Voluntary OJT and the use of banking credits
Other: including off-site training and apprenticeship programs

## 5.2.4 Setting the Number of Required Trainees:

### 1. Estimated Contract Amount Used to Set Maximum Trainee Requirements

A critical element in determining the number of trainees on a contract is the contract award amount as reported on the Contract's Bid Blank. The contract award amount is discussed at the TEM and any contract dollars which do not create training opportunities for craft and labor positions in the highway/bridge construction industry, are identified or estimated.

These monies may be deducted from the contract award amount as those monies are not associated with work traditional to highway and bridge construction and as such do not support OJT opportunities for the contract. A standard removal of typical non-trainable monies is factored into the ratio of trainees to estimated contract amounts.

This standard removal covers nontrainable monies for typical items in the contract award amount which are not performed by workers covered by the **Davis-Bacon Act**.

The resulting dollar number is the Estimated Contract Amount shown in Table 5.1.2, "Maximum Number of Required Trainees Based on Estimated Contract Amount." If there are no such deductions, then the contract award amount is applied to Table 5.1.2. Examples of contract monies which do not support traditional highway and bridge construction OJT opportunities include: contingency money, partnering money, project design and engineering, buildings, bascule bridge machinery, off-duty law enforcement, survey services, advanced information technology, advanced telecommunications, and time bid dollars on A + B contracts.

### 2. Analyzing the Scope and Schedule of Work

A second factor in setting the number of trainees required on the project is the scope and schedule of work to be performed.

Pertinent topics to be considered include description of work to be performed, scope of work, length of operations, sequence and schedule of work, prime contractor and subcontractor work, etc.

The contractor's intent to pursue an early completion bonus(s) does not warrant a reduction in the required number of trainees.

### **3. Determining the Level at which Banking Begins**

The required number of trainees will be compared to the number stated in Table 5.1.2 for the Estimated Contract Amount. The estimated contract amount may be the contract award amount, or an amount reduced for non-trainable items.

The estimated contract amount is used to determine the level at which graduates will be counted for banking. An OJT "Banking Certificate" will be issued to the prime for graduates exceeding the required number of trainees and may be redeemed to fulfill OJT requirements on other projects.

The following are examples for calculation of estimated contract amount, the agreed number of trainees and the level at which banking begins.

<b>EXAMPLE 1</b>		TABLE 5.1.2 Maximum Number of Required Trainees Based on Estimated Contract Amount	
Contract Award Amount is reduced for non-trainable contract monies. Scope and schedule of work has no impact on trainees. Agreed Number of trainees is set based on at the Estimated Contract Amount.		Estimated Contract Amount	Maximum Trainees Required
Contract Award Amount	\$6,700,000	Over \$6,000,000 to \$12,000,000	5
Less Non-trainable contract monies:			
Engineering Services	\$ 850,000		
Off Duty Officers	\$ 5,000		
Survey Services	\$ 30,000		
Subtotal: Non-trainable contract monies:	( \$ 885,000)		
Estimated Contract Amount	\$ 5,815,000	Over \$4,000,000 to \$ 6,000,000	3
Table 5.1.2 Maximum Number of Trainees	3		
Any Scope/Schedule of Work impact on Trainees?	no		
Agreed Number of Trainees this project	3		
Banking begins with graduate number	4		
<b>EXAMPLE 2:</b>		TABLE 5.1.2 Maximum Number of Required Trainees Based on Estimated Contract Amount	
Contract Award Amount reduced for Non-trainable contract monies. Scope and Schedule of work impacts number of trainees. Agreed Number of trainees is less than Estimated Contract Amount.		Estimated Contract Amount	Maximum Trainees Required
Contract Award Amount	\$6,700,000	Over \$6,000,000 to \$12,000,000	5
Less Non-trainable contract monies:			
Engineering Services	\$ 850,000		
Off Duty Officers	\$ 5,000		
Survey Services	\$ 30,000		
Subtotal: Non-trainable contract Monies:	( \$ 885,000)		
Estimated Contract Amount	\$ 5,815,000	Over \$4,000,000 to \$ 6,000,000	3
Table 5.1.2 Maximum Number of Trainees	3		
Any Scope/Schedule of Work Impact on Trainees?	Yes		
Agreed Number of Trainees this project	2	Over \$2,000,000 to \$4,000,000	2
Banking begins with graduate number	4		

### 5.2.5 Workforce Diversity

The workforce of each contractor enrolling trainees, as reported on a current **Company Wide EEO Report Form 275-021-07**, is reviewed at the TEM to determine the diversity of the workforce.

If an enrolling subcontractor is identified after the TEM, their most recent Company Wide EEO Report is submitted along with the first schedule submission listing their enrollment(s). The DCCM will review the workforce diversity and advise the prime of that subcontractor’s trainee diversity enrollment requirements prior to approving enrollments in the classification listed on the approved OJT schedule.

When a contractor’s workforce reflects a variety of races and females, then enrollment in the OJT training classifications should reflect that diversity.

### 5.2.6 Selecting the OJT Training Classification

Considerations in selecting training classifications for the project include:

- Sufficient availability of meaningful work in the classification
- Journey level instructor for the work
- Contractor need for workers with such skills
- Workforce development
- Advancement of affirmative action
- Reasonable ratio of journey-level workers to trainees for the work to be performed

The project's training classifications may be modified subsequent to the TEM with the prime's submission of a request explaining the purpose or reason for the change.

### 5.2.7 Training Evaluation Meeting Outcomes

The following are the minimum outcomes of the TEM:

1. The DCCM will review the contractor's Company-wide EEO Report for reasonable representation of employees by race and sex particularly females and minorities in reported job categories and in typical classifications.
2. The required number of trainees and the level at which graduates will be counted for banking.
3. The initial (original) **OJT Schedule Form 275-020-96** will be developed and reviewed for concurrence/approval.
4. A **Proficiency Record for OJT Form 275-021-01**, Section 1 (Project Identification), Section 2 (Proficiency Standards) and Section 3 (Concurrence with Proficiency Standards) will be completed for each training classification included on the OJT Schedule. A minimum of three (3) proficiency standards are required.

In the event the OJT Schedule and some or all of the proficiency records are not finalized at the TEM, they shall be due ten (10) days following the meeting.

### 5.2.8 Meeting Minutes

The DCCM ensures written minutes of the TEM are produced and issued to attendees as soon as practical. Corrections/changes may be requested within 14 days of issuance and the minutes are to be finalized 14 days thereafter. Minutes are to be retained as official project documents.

The minutes of the TEM will reflect the details considered in setting the number of trainees and the level at which graduates will be counted for banking.

## 5.3 OJT TRAINING SCHEDULE

### 5.3.1 Purpose

The **OJT Schedule Form 275-020-96** details the number of trainees to be trained in each training classification, the portion of the contract time during which training of each trainee is to take place, and the beginning and ending dates of training.

### 5.3.2 OJT Schedule and Concurrence/Approval Process

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The initial (or original) OJT Schedule is established at the TEM or within ten days thereafter. The contractor is responsible for completing the form using the project work schedule. When multiple pages of the OJT Schedule forms are submitted, signatures are only required on the last page of the schedule to ensure all data has been reviewed and approved as recorded on previous pages.

Care is to be taken to ensure that the schedule reflects the actual title for the Training Classification as shown in Table 5.1.3 and on each Monthly Time Report.

The Project Administrator reviews each schedule for approval considering the following minimum requirements:

1. The project work schedule indicates, for the designated training period, that there is sufficient work available to train in the classification.
2. The length of operations has been calculated so as to qualify the average trainee for journeyman status in the classification by at least the minimum hours prescribed on the Monthly Time Report of the classification.
3. The OJT Schedule allows sufficient time for trainee proficiency demonstration(s).

The DCCM reviews each schedule and issues an approval decision within ten days of receipt. Additional classifications may not be listed on a contract's OJT Schedule until such time the EOO issues approval. The approval of OJT Schedule includes the following minimum considerations:

1. Conformance with Training Special Provisions.
2. Incorporation of agreements reached at the TEM.
3. 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.

### **5.3.3 Timeframe for Implementation of OJT Schedule**

Approval of the OJT Schedule shall be obtained from FDOT prior to commencing work or prior to implementing Schedule revisions.

### **5.3.4 OJT Schedule Revisions**

The contractor shall, as far as practical, comply with the time frames established in the approved OJT schedule. When this proves to be impractical, a revised schedule shall be submitted for approval to and approved by the DCCM.

A revised OJT Schedule is required when one or more of the following occur:

- When a start date on the approved schedule has been missed by 14 or more days.
- When a start date is changed to be fourteen (14) or more days earlier than approved.
- When there is a change in previously approved classifications.

- When replacement trainees are added due to voluntary or involuntary termination.

Failure to submit a revised schedule as indicated above may result in the issuance of noncompliance communications.

## 5.4 TRAINEE PERSONNEL ACTIONS

### 5.4.1 Purpose

The FDOT OJT program requires timely communication and coordination between the contractor and FDOT. The ***Trainee Enrollment and Notice of Personnel Action Form 275-020-08*** is provided for the contractor to communicate all trainee personnel actions to FDOT, and then FDOT must approve each action. These actions include:

- Enrollment
- Transfer of Trainee
- Termination of Trainee
- Request for Graduation
- Request for Banking
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The form is initiated by the contractor and sent to FDOT for approval of all actions associated with a trainee. This form is due to FDOT within seven (7) days of the effective date of each action recorded thereon. Submission time frames can be complied with via mailing or by email.

Personnel actions pertaining to each trainee participating in the OJT Program are initiated by the Prime Contractor processed by the RCS and forwarded to the DCCM for action and approval.

### 5.4.2 Trainee Enrollments

The contractor is responsible for identifying eligible employees to fill the positions on the approved Training Schedule and to ensure that sufficient time is allowed for the training and proficiency determination of each trainee. Section 2 (Enrollment and Trainee Identification) of the Trainee Enrollment and ***Notice of Personnel Action Form 275-020-08*** is completed by the contractor and submitted to the RCS fourteen (14) days prior to the requested Enrollment Date for the Trainee.

### 5.4.3 Enrollment Requirements

The primary objective of the OJT program is the training and upgrading of women and minorities, and economically disadvantaged persons (including groups which are typically underrepresented in the craft and semi-skilled laborer occupations) toward journey level status.

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Contractors select employees for enrollment in the OJT program if they have not previously trained or worked in that training classification (See Section 5.4.6 for additional criteria). Contractors collect and submit background data to substantiate enrollment eligibility. FDOT issues qualifying enrollees an OJT Begin Date marking the start of training. Selected training classifications, and enrollment and completion dates are maintained on an OJT Schedule developed by the prime. The Department's Project Administrator must concur with the selection and scheduling of trainees.

#### **5.4.4 Trainee Affirmative Action Criteria**

OJT is an affirmative action program that contractors utilize to attain, enhance and maintain equal opportunity in their workforce. Table 5.1.3 identifies the primary OJT enrollment classifications. A contractor's workforce, as reflected on a recent Company Wide EEO Report, is analyzed at the TEM to determine if the major job categories reflect utilization of minorities and females.

The major job categories for analysis include equipment operators, mechanics, truck drivers, ironworkers, carpenters, cement masons, electricians, pipe fitters /plumbers, painters, and semi-skilled laborers.

The Company Wide EEO Report of the contractor who will provide the trainee is reviewed to determine if minority and female employment is reflective of the available workforce, in the Metropolitan Statistical Area (MSA) where the project is located. This may be the Company Wide EEO Report of the prime contractor or a subcontractor. Unskilled laborer employees should be given primary consideration for OJT enrollment in order to upgrade them into craft and semi-skilled laborer classifications.

When a contractor's workforce reflects utilization of minorities and females in a job category, then the enrollment in training classifications for that job category is open to all employees, including non-minorities who are economically disadvantaged.

#### **5.4.5 Trainee Economic Disadvantaged Criteria**

An enrollee is determined to have Economic Disadvantaged status if the individual is at or below poverty level as determined by the following:

1. Certification from the Florida State Employment Service and/or Workforce Investment Act of 1998;
2. Prior year unemployment verification using a W-2 or;
3. Other income tax data reflecting the person's economic status (or) a recipient's verification of AFDC (Aid for Families with Dependent Children) or verification of other public services that enhance family economics or;
4. Other bona fide verification of economically disadvantaged status.

#### **5.4.6 Trainee Work Experience & Training History**

In order to qualify for appointment to a specific training classification, the proposed trainee must meet the following criteria:

1. The candidate has not completed a training course leading to journey level status for the proposed training classification.
2. The candidate has not worked at journey level status in the proposed classification.
3. The candidate does not have journey level experience in the proposed classification.
4. The candidate is not enrolled in another FDOT training classification.

To reflect prevailing practices of Florida's highway/bridge construction industry, trainees graduating to journey level status from one OJT classification may be considered for enrollment in subsequent FDOT training classifications that will promote the achievement of additional knowledge, skills, and abilities. This is not intended to promote the use of career trainees or to exclude the enrollment of others from the OJT program.

Where feasible, 25% of the trainees in each occupation shall be in their first year of employment. This supports the addition of new workers into the industry.

#### **5.4.7 Trainee Interviews**

The ***OJT Trainee Interview Form 275-021-02*** is used by RCSs or other project staff, to record information regarding an enrollee's previous work experience and training. Additionally, the proficiencies established for the trainee's proposed classification on the project are reviewed with the enrollee and utilized in determining existing abilities for the proposed classification.

Questions are also asked to determine if the trainee understands the OJT program. Answers indicating possible lack of understanding are communicated by the RCS to the contractor for follow up with the trainee. Lack of understanding regarding the OJT program does not affect enrollment eligibility.

The training and work experience information of the enrollee are referenced by the DCCM in determining enrollment approval. Additional interviews may be conducted during an enrollee's training period.

#### **5.4.8 Trainee Identification Card**

A **Trainee** Identification Card (ID Card) is prepared for each enrollee once the DCCM approves the enrollment in Section 3 of the ***Trainee Enrollment and Notice of Personnel Action, Form 275-020-08***. A photo may be added to the identification card.

The ID card is forwarded to the prime contractor for issuance to the trainee. The prime contractor is responsible for ensuring that the trainee carries the ID card at all times during training on the project. Attachment 5.4.5.1 is an example of a trainee Identification card.

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### Attachment 5.4.8.1 Example of a Trainee Identification Card

State of Florida	
Department of Transportation, District No #	
OJT Program Identification Card	
District Address	District Telephone
xxxxxxxxxxxxxxxxxxx	xxx/xxx-xxxx
XXXXXX, Florida XXXXX	
This is to certify that _____ Trainee Name _____	
is enrolled as a _____ Training Classification _____	
trainee beginning _____ Date _____	
with _____ Company Name _____	
on Financial Project No.: _____ Financial Project No. _____	
District Contract Compliance Manager's Signature	

### 5.4.9 Trainee Transfers

To complete training, the transfer of trainees from project to project and from district to district is permitted. This includes transfers between multiple projects which could include non-FDOT government projects (City, County, etc.) provided there is the existence of an agreement to monitor the OJT Trainees in accordance with the OJT Program with the contractor, FDOT and other participating agencies. A trainee is only allowed to be enrolled on the original project.

When training is being accomplished on multiple projects, the proficiency demonstration may occur on any of the approved projects. However, training credit will only apply to the original contract that required training.

If transferring to a single project to complete training, the contractor shall submit to the District Contract Compliance Manager a copy of the Trainee Enrollment and Notice of Personnel Action Form 275-020-08 no later than fourteen (14) days after the transfer action.

If transferring to multiple projects, the contractor shall contact the District Contract Compliance Manager prior to movement to agree on an OJT schedule that monitors trainee progress.

Banking credits will not be awarded until the standard number of trainees specified in Table 5.1.2 have graduated from the original project.

### 5.4.10 Trainee Terminations

A trainee's accumulation of OJT hours may stop due to absence, injury, illness, incarceration or termination. The voluntary or involuntary termination of a trainee at any time following enrollment and prior to the approval of their graduation is communicated to

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the Department by completing Section 10 (Notice of Termination prior to Graduation) of the ***Trainee Enrollment and Notice of Personnel Action Form 275-020-08***.

Voluntary terminations occur when the trainee initiates the separation. Examples of voluntary terminations include resignation to accept work elsewhere, resignation due to denial of a request for reassignment, relocation/leaving the area, etc.

Involuntary terminations occur when the contractor initiates the separation. Examples of involuntary termination include termination for misconduct, absenteeism, failing to maintain employment status, layoffs, staff reductions, etc.

If the trainee returns to the project and the contractor wishes to resume their training in the same classification and on the **same** project the following criteria apply: FDOT verified OJT hours accumulated prior to the termination date may be credited provided the trainee has trained no less than 50% of the minimum required OJT hours for the classification and less than 60 calendar days have passed since the termination date.

Trainees who terminate prior to graduation and are subsequently employed by another contractor will not be credited for any OJT hours accumulated with the previous contractor.

#### **5.4.11 Trainee Graduation**

Graduation from the FDOT OJT program requires attainment of a specified number of training hours on defined topics and the ability to successfully perform, for observation, all proficiencies defined for the training classification. Training hours are subject to verification by the RCS.

Once a successful proficiency observation has occurred and been recorded by FDOT's observer, the completed demonstration will be supplied to the RCS within seven (7) days. Within fourteen (14) days of a successful proficiency observation, the RCS will verify graduation eligibility and (if found favorable) will forward on to the DCCM. Section 4 (Graduation Request) of the ***Trainee Enrollment and Notice of Personnel Action, Form 275-020-08*** is submitted to the DCCM. The DCCM completes Section 5, (Graduation Approval) of the ***Trainee Enrollment and Notice of Personnel Action Form 275-020-08*** once the verification of training hours and proficiency has been completed.

A graduation certificate stating the trainee's full name, training classification and graduation date is issued to the contractor for presentation to the trainee.

### **5.5 TRAINING PROFICIENCIES**

#### **5.5.1 Purpose**

Once the minimum OJT hours are accumulated, the Contractor may verify and request a proficiency observation of the trainee. The trainee is eligible to exhibit for the project

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administrator, or their designee, and the prime contractor, or their designee, performance of the predefined proficiencies specific to the classification on which the trainee is enrolled. The RCS or other Department staff who have completed Department sponsored inspector training may serve as a designated observer for the Department.

Graduation from the FDOT OJT program requires accumulation of sufficient hours according to a pre-defined training curriculum and the successful exhibition by the trainee of predefined proficiencies specific to the classification and project on which the trainee is enrolled. Successful proficiency observations facilitate the attainment of meaningful skills essential to performance in the construction industry.

### **5.5.2 The Proficiency Statement**

A proficiency statement is specific to the job classification for which it is written.

Proficiency statements for a training classification may differ from one contractor to another in order to reflect the unique work responsibilities companies assign to their employees.

A good proficiency statement is one which is clearly defined, unambiguous, observable (or measurable) and skill (not trait) based.

A proficiency statement must be understandable to the trainee, the contractor and the Department.

### **5.5.3 Training Proficiency Statement Development and Concurrence**

Proficiencies are developed for each training classification planned for use on a project. They are developed along with the initial OJT Schedule at the TEM. If agreed, proficiencies may be submitted up to ten (10) days following the TEM.

Prior to approving an OJT Schedule, the proficiency statements for each classification shown thereon are to be developed and concurred with. A minimum of three (3) proficiencies must be developed for a training classification; or a total of four (4) or five (5) may be developed.

Proficiency statements for a training classification on a project are recorded in Section 2 (Proficiency Standards) of the ***Proficiency Record for OJT, Form 275-021-01***. The form is also used to request observation of a trainee's proficiency and to record the results of observations.

### **5.5.4 Proficiency Observation Eligibility, Request and Record**

Once a trainee has completed training hours for each subject listed on the Monthly Time Report for their training classification, the contractor may consider requesting a proficiency observation.

With a contractor's representative present, a trainee is required to demonstrate to a Department observer (e.g., Project Engineer or Inspector) the proficiencies agreed upon

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and documented on the ***Proficiency Record for OJT Training, Form 275-021-01***. Up to four proficiency observations may be requested and the results recorded in Sections 5 and 6 (Proficiency Observation Request and Observation Results) ***Proficiency Record for OJT Training, Form 275-021-01***.

The contractor initiates the observation of the trainee's proficiency by completing Section 5 (Proficiency Observation Request) of the ***Proficiency Record for OJT Training, Form 275-021-01***. The RCS coordinates scheduling the observation which must be attended by both the contractor's project representative and a department representative.

The established proficiencies are reviewed by the observers and compared to the trainee's actual performance during the observation. If three (3) proficiencies have been established, the trainee must successfully exhibit (perform) all three (3); if four (4) have been established then four (4) proficiencies must be successfully exhibited; if five (5) have been established, then five (5) must be successfully exhibited/performed. Graduation requires the successful performance of all proficiencies during one (1) proficiency observation.

When a trainee has accumulated at least the minimum training hours, up to two (2) proficiency observations may be scheduled.

Trainees, who fail to exhibit proficiency during the first two (2) observations, must accumulate the maximum training hours for their classification before additional observations may be requested. If the trainee is not successful during the first two (2) observations, then the contractor must wait until the trainee has accumulated at least the maximum training hours before requesting a third and then a fourth observation. The trainee may continue in the training program until project completion.

## **5.6 OJT TRAINING MONTHLY TIME REPORT**

### **5.6.1 Purpose**

Each training classification in the FDOT OJT program has a specific Monthly Time Report which is an FDOT Form 275-030-30. The Monthly Time Report identifies the training curriculum for the classification and the recommended minimum and maximum hours for each proficiency category. Monthly Time Reports are located in the [FDOT Procedural Document Library](#).

### **5.6.2 Responsibilities**

The OJT Monthly Time Report Form is required for reporting all training hours accumulated on a project by an enrollee of the training program.

The contractor is responsible for maintaining records to document the actual hours each trainee is engaged in training.

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The contractor completes the Monthly Time Report and submits it to the RCS. The Daily-Weekly Report, Form 275-021-12, which may be used by FDOT to track and monitor the trainee's progress may also be used by the contractor to assist in pinpointing how each hour of training is spent, such as five (5) hours "oriented in safety procedures."

Recommended hours in each proficiency category are provided, however the contractor may move hours as needed between categories depending on the training needs. The Minimum hours for the classification must be met in order to complete training.

The certified payroll record of the trainee and project records are referenced by the RCS in verifying monthly time report data.

### **5.6.3 Timeframe for Submitting the Monthly Time Report**

The contractor submits the Monthly Time Report to the RCS on or before the 10<sup>th</sup> of each month for training time accumulated the previous month. Submission time frames can be complied with via mailing or by email. A Monthly Time Report is required beginning with the first month in which the trainee is enrolled and time is accumulated and continuing through the month in which the trainee graduates or terminates.

In the event a trainee accumulates zero training hours during a month, but remains a viable enrollee of the program, the contractor submits a Monthly Time Report reflecting accumulation of zero hours.

The RCS forwards Monthly Time Reports to the DCCM after verifying that all data is correct.

## **5.7 VOLUNTARY OJT AND BANKING**

### **5.7.1 Purpose**

FDOT provides contractors the opportunity to pursue OJT on projects not requiring trainees and on projects where trainee requirements have been fulfilled and the completion of excess trainees is desired. This is referred to as "Voluntary OJT for Banking."

The graduation of trainees in such circumstances results in the earning of a "Banking Credit" and the issuance of a "Banking Certificate" which the contractor may apply to the fulfillment of trainee requirements on subsequent Federal-Aid projects.

Contractors pursuing Voluntary OJT shall comply with all training criteria set forth in the OJT Special Provision for Federal-Aid Projects.

### **5.7.2 Eligibility**

The Voluntary OJT Program may be initiated by a contractor awarded a state funded (non-Federal-Aid) project provided an RCS is available for OJT compliance monitoring.

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Contractors wishing to pursue Voluntary OJT on state funded contracts will contact the DCCM to initiate the scheduling of this meeting.

If a contractor declares the intent to earn banking credits on a Federal-Aid project requiring trainees, the actual award of a banking certificate will not occur until such time as the required number of trainees has graduated from the project.

Banking credits will not be awarded until the standard number of trainees specified in Table 5.1.2 have graduated from the project. Once the numbers of trainees indicated in the table have graduated, Voluntary OJT may be pursued (see 5.2.4 for guidance on the level at which banking begins).

All OJT program requirements outlined in the Standard Specifications and this CCM apply as well to Voluntary OJT. All program requirements must be satisfied prior to the issuance of Banking Certificate(s).

### **5.7.3 Weekly Record of Hours and Pay for Trainees on Non–Federally Assisted Projects**

Contractors who have trainees approved for OJT enrollment on non-federally assisted projects are required to submit a weekly record of hours and pay for each trainee. This data is due to the RCS seven (7) days after the trainees' regular pay day and continues until the trainee's graduation is approved.

Data to be shown on this weekly record of hours and pay includes; Name, four-digit identifier, race and sex, training classification, hours worked on the project each day which are being reported as training on a Monthly Time Report, rate of pay, gross wages and total wages.

Trainees on non-federal jobs are not subject to the **Davis-Bacon Act** so the certified payrolls are not required or available.

### **5.7.4 The Banking Certificate**

Contractors may pursue the enrollment and graduation of trainees in excess of the required number for a project. The prime contractor will be issued an OJT Banking Certificate for each graduate in excess of the number required in Table 5.1.2. Any of the classifications in Table 5.1.3 may be used to earn banking certificates. The project's OJT Schedule is to be maintained to reflect each excess trainee including their enrollment and completion dates.

A contractor requests the issuance of a banking certificate concurrent with their request for graduation of a trainee. The contractor completes Section 6 (Contractor's Request to Award Banking Certificate) of the **Trainee Enrollment and Notice of Personnel Action Form 275-020-08**, at the same time Section 4 (Graduation Request) is completed. This form is submitted to the RCS.

Banking certificates are retained by the contractor while the graduation certificate is presented to the trainee. A **Banking Certificate, Form 275-021-03** is issued to the prime contractor for each banking credit. Each banking certificate includes a unique five-digit serial number as follows:

D (number for district) plus XXX (three-digit sequence number)

Example: D4053: Certificate issued by District 4, sequence number 053

Contractors hold the banking certificate(s) until such time as they are ready to apply the credit toward a Federal-Aid contract training requirement.

### **5.7.5 Redemption of Banking Credits**

Banking certificates may be redeemed within five (5) years of issuance. The issuance and redemption of banking certificates are tracked by each District and the EEO.

Earned banking credits are redeemed by presenting the original banking certificate to the DCCM of the district where the project on which the credit is to be applied.

A contractor utilizing banking credit(s) to fulfill agreed upon trainee requirement(s), must present the original banking certificate for redemption. If the contractor has determined at the TEM that banked credits will be used to meet trainee requirements, then the certificate(s) is submitted with the initial training schedule. A prime contractor working as a subcontractor to another prime, may redeem their earned banking certificates for the prime.

If the contractor subsequently determines to use banked credit(s) to meet trainee requirements, then the certificate(s) are submitted with the revised training schedule.

The contractor records their intent to use Banking Credits in Box 11 of Section 1, on the **OJT Training Schedule, Form 275-020-96**.