FEDERAL ON-THE-JOB TRAINING PROGRAM

Civil Rights Division
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Promote diversity and inclusion in the Texas Department of Transportation’s internal operations and external programs.
Program Overview

- Mandatory Program in accordance with Federal Regulation 23 CFR Part 230, Subpart A
- Office of Primary Responsibility: TxDOT Civil Rights Division
- Goal determined based on awarded contract amount from the previous year
- Special Provision On-the-Job Training Program for Design-Build and Comprehensive Development Agreement Projects; number of trainees will be specified in the contract
- Targets women, minorities, and disadvantaged individuals for entry into journey-level positions to ensure a competent, available workforce to meet highway construction industry needs
  - Addresses historical under-representation of members in these groups in highway construction skilled crafts
- Designed to provide flexibility to train on most projects
History of Program

- Framework developed by AGC of Texas in 1968
- Updated by TxDOT, FHWA, and AGC of Texas in 2006
- Dual Administrators: Memorandum of Agreement between AGC of Texas and TxDOT
- Program retention rates
On-the-Job Training Process

- Goal Notification
- Training Plan
- Enrollment
- Graduation
- Verification
- Monthly Reporting
- Training
- Goal Complete
Resources

Introduction to the OJT Program

- OJT Manual
  - How Contractors are Chosen
  - Goal Methodology
  - Participant Responsibilities

AGC Member Resources

- Orange Book (English/Spanish)
- Program Quick Guide and FAQ
- Record Maintenance Assistance
- AGC-specific Forms

Reporting Forms*

- Texas Department of Transportation Contractor On-the-Job Training Plan
- Federal On-the-Job Training Program Enrollment Form (2201)
- Federal On-the-Job Training Program Monthly Reporting Form (2202)
- Labor Standards Review (Form 2220)
  *All Forms submitted to CIV, Area Office and AGC (if contractor is AGC member)

Change/Add Wage Rates or Wage Classification Codes

- Submit Additional Classification and Wage Rate Request (Form CST-C-1) to CST_LaborCompliance@txdot.gov

TxDOT On-the-Job Training information available online at:  http://www.txdot.gov/business/resources/doing-business/on-the-job.html

AGC information available online at: https://agctx.org/on-the-job-training-resources.html
### Goal Methodology

- Fiscal year assessment for calendar year goal
- Provides realistic training goal for contractors

<table>
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<tr>
<th>Annual Estimated (Range) Totals</th>
<th>Trainees Required Annually</th>
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<tr>
<td>Over $195,000,000.01</td>
<td>7</td>
</tr>
<tr>
<td>$160,000,000.01 to $195,000,000.00</td>
<td>6</td>
</tr>
<tr>
<td>$125,000,000.01 to $160,000,000.00</td>
<td>5</td>
</tr>
<tr>
<td>$90,000,000.01 to $125,000,000.00</td>
<td>4</td>
</tr>
<tr>
<td>$55,000,000.01 to $90,000,000.00</td>
<td>3</td>
</tr>
<tr>
<td>$20,000,000.00 to $55,000,000.00</td>
<td>2</td>
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Contractor Responsibilities

- **Subcontractor Participation**
  - May provide training, but program requirements are still the responsibility of contractor assigned the goal

- **Selecting a Trainee**
  - Has never worked, or does not have experience, as a journeyworker in proposed classification
  - Not currently enrolled in another training classification

- **Provide trainee with:**
  - Copy of enrollment form
  - Program curriculum
  - Training progress reports
  - Pocket size AGC Orange Book

- **Contractor Training Plan**
  - Must be submitted if no trainee enrolled within 60 days of goal notification
Contractor Responsibilities cont.

- **Forms and Submission Process**
  - Enrollment Form (2201) submitted within 7 days of trainee start date
    - Must be initially enrolled on a federally funded project
  - Monthly Reporting Form (2202) submitted by 10th of the month for verification
    - Form submitted even if no training has taken place; hours listed as zero
    - Form submitted to each area office for each project trainee works on (multiple CSJs may be added to one form)

- **What constitutes a goal?**
  - Trainee graduates
  - TCCA graduate is hired
  - Double credit for certain training classifications
  - Additional trainees will be “banked” for the next calendar year

- **Graduation**
  - When maximum hours for training classification have been completed or when contractor determines trainee has been sufficiently trained
TxDOT Responsibilities

- **Program Oversight**
  - Office of Responsibility for administration of OJT program
  - CIV works closely with Construction Division, Project Finance, District Staff, and Area Office Staff to implement and monitor program

- **Receipt of Submitted Forms**
  - Maintains documentation for required reporting to TxDOT Executive Staff and FHWA
  - Area Office personnel will verify training hours and wage rates indicated on monthly reporting form against certified payroll
  - Once verified, monthly reporting form is signed and submitted to CIV

- **Labor Standards Interview**
  - Conducted by Area Office personnel
  - One interview per trainee to verify training status and progress towards program completion
  - Interviews should be conducted by trainee’s third pay period and submitted to CIV
TxDOT Responsibilities cont.

- **Good Faith Effort**
  - Determined by TxDOT on case-by-case basis
  - Reasonable effort must be made to replace trainee who terminates within 30 days

- **Goal Met Letter**
  - Sent to contractors once training goals have been completed
  - Identifies trainees who were enrolled in program, individual status, GFE approved, and any banked credits for the next calendar year
Wage Rates and Reimbursement

<table>
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<tr>
<th>Wage Rates</th>
<th>Reimbursement</th>
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<tbody>
<tr>
<td>• Davis-Bacon/Prevailing Wage Rates</td>
<td>▪ Request by checking box on monthly reporting form</td>
</tr>
<tr>
<td>• Enter prevailing wage for corresponding classification into EPRS/LCPtracker</td>
<td>▪ Will be compensated 80 cents per training hour (hours verified by Area Office via certified payroll)</td>
</tr>
<tr>
<td>• Compensate percentage of minimum journeyworker’s rate:</td>
<td>▪ Not allowed if there is a lack of GFE in meeting program requirements</td>
</tr>
<tr>
<td>60% - first half of training (AGC – 70%)</td>
<td>▪ Area Office personnel will approve</td>
</tr>
<tr>
<td>75% - third quarter (AGC- 80%)</td>
<td>▪ Personnel can add detail number during activation or by change order</td>
</tr>
<tr>
<td>90% - last quarter (AGC – 90%)</td>
<td>▪ Entered as line item for final payment at project close out</td>
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Texas Construction Career Academy (TCCA)
- Recruitment and pre-employment training program
- Courses related to highway construction trades including OSHA, flagger and heavy equipment

Contractor Benefits
- Opportunity to fulfill OJT training goal
- Demonstrate good faith effort in recruiting minorities, females and disadvantaged individuals
- Access to qualified applicants actively looking for employment

2017 TCCA Job Fairs
- Corpus Christi: May 12
- Fort Worth: July 28
- El Paso: September 29

TxDOT On-the-Job Training Supportive Services information available online at:
Texas Transportation Commission Members and Administration

- Tryon D. Lewis – Chair
- Jeff Austin III, Commissioner
- J. Bruce Bugg, Jr., Commissioner
- Laura Ryan, Commissioner
- Victor Vandergriff, Commissioner
- James M. Bass – Executive Director
- Michael D. Bryant – Director, Civil Rights Division
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Questions?