



AFFIRMATIVE ACTION PLAN  
AND  
SELECTION PROCEDURES FOR APPRENTICES

AS REQUIRED UNDER TITLE 29 OF THE  
CODE OF FEDERAL REGULATIONS, PART 30  
AMENDED JANUARY 18, 2017

&

STATE OF MONTANA  
EQUAL EMPLOYMENT OPPORTUNITY  
IN APPRENTICESHIP

ADOPTED BY

COMPANY  
ADDRESS

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

&

MONTANA REGISTERED APPRENTICESHIP PROGRAM  
MONTANA DEPARTMENT OF LABOR & INDUSTRY

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### ATTACHMENT: C

#### AFFIRMATIVE ACTION PLAN WORKFORCE ANALYSIS

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## I. PREAMBLE

In order to conform to the Federal law for Equal Employment Opportunity in apprenticeship, \_\_\_\_\_ hereafter referred to as the Program Sponsor, hereby adopts the following non-discriminatory pledge, Affirmative Action Plan, and Qualifications and Selection Procedures. The Program Sponsor enters into this Plan with good faith for the purpose of aiding minority, female, and individuals with disabilities in sharing in the opportunities of the Program Sponsor's related apprenticeable occupations.

The following Plan is a supplement to the Apprenticeship Standards and is hereby established to ensure fulfillment of the requirements outlined in Title 29, CFR Part 30, as amended January 18, 2017. The Plan consists of supporting sections as defined in the rules and regulations.

## II. AFFIRMATIVE ACTION PLAN

In order to allow full utilization of minorities, women and individuals with disabilities in the industry through apprenticeship, the Program Sponsor makes a pledge of procedures and methods for positive recruitment into the restrictive pool of minorities, women, and individuals with disabilities in the training areas outlined in the Apprenticeship Standards.

This pledge of affirmative action includes an analysis of the workforce in **XXXXXX County**. The purpose is to determine the minority, female, and individuals with disabilities labor force in the Program Sponsor's labor market area, as provided by the Research & Analysis Bureau, Montana Department of Labor & Industry.

This Affirmative Action Plan will consist of the affirmative acts in Section V of this Plan and may be amended at a later date as experience indicates. Any change made by the Program Sponsor shall become a part of this written plan, once approved by the Montana Registered Apprenticeship Program, Montana Department of Labor & Industry.

## III. EQUAL OPPORTUNITY PLEDGE

In compliance with Section 30.3(b) of Title 29, CFR, Part 30, as amended relating to recruitment, selection, employment, and training of apprentices, the Program Sponsor hereby, as part of their Standards, includes the following Equal Opportunity Pledge:

The recruitment, selection, employment and training of apprentices will be without

discrimination because of race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status or marital status.

The sponsor will provide equal opportunity in apprenticeship and will operate the apprenticeship program in accordance with state and federal law. If five or more apprentices are employed, the sponsor will attach a written selection procedure or affirmative action plan to demonstrate compliance. The Program Sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29, Code of Federal Regulations, Part 30, as amended.

#### **IV. HARASSMENT**

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history). Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

The Program Sponsor will take whatever actions are necessary to preclude incidents of harassment from occurring, so all apprentices are afforded the opportunity to work in an environment free from unsolicited, unwelcome, overtones. All employees are expected to support the efforts of the Program Sponsor by fostering an open and friendly work environment free of inappropriate pressures for all members of the workforce. Guidelines of approved annual anti-harassment training may be found in the link below.

<https://www.apprenticeship.gov/sites/default/files/guide-to-using-anti-harassment-training-program-guide.pdf>

#### **V. DISABILITY PRE AND POST OFFERS**

The program sponsor will by the

- 2-year mark, disseminate one-time invitation to self-Identify (ID) for all current and future apprentices, begin self ID at pre-offer and post stage (30.11)
- Begin invitations to self-ID at pre-offer and post offer stage (30.11)
- Conduct initial workforce analysis for race/sex 30.5 (C) and individuals with disabilities 30.7 (d) (2)
- Conduct Initial review of personnel processes (30.9)

## VI. OUTREACH AND POSITIVE RECRUITMENT

The Program Sponsor pledges to engage in various outreach and positive recruitment activities by employing the following approach:

An announcement of employment opportunities for current employees, shall be disseminated to the following agencies and organizations located in the employment market area at least twice annually.

- Job Service Offices
- Organizations that work with people with disabilities
- Minority Organizations
- Women's Organizations
- Veterans Organizations
- Career Training Institutes

The Program Sponsor will also undertake affirmative action in the following areas:

- Participate in workshops for school and employment counselors.
- Work with groups interested in opportunities for minorities, women, and individuals with disabilities.
- Encourage qualified minority, female, individuals with disabilities, and current employees to make application for apprenticeship openings.
- Internal communication of the Program Sponsor's equal opportunity policy to foster understanding, acceptance, and support among supervisors and employees in order to aid the Program Sponsor in meeting its affirmative action obligations

in recruitment, selection, employment, and training.

## VII. BASIC MINIMUM QUALIFICATIONS

Applicants accepted and registered as apprentices must meet the following minimum qualifications:

1. Age: Provide a birth certificate or other acceptable proof of being at least 18 years of age.
2. Education: Shall provide proof they have graduated from high school or have a G.E.D. or HiSET certificate. Academic transcripts will be submitted with application.
3. Aptitudes: Shall possess the basic aptitudes essential for acquiring the skills and proficiency of the trade.
4. Physical: Shall be physically capable of performing the essential functions of the occupation without endangering the health and safety of themselves and/or fellow workers.

## VIII. SELECTION PROCEDURE

The Program Sponsor shall use a restricted pool selection method (selected from current employees).

An announcement of apprenticeship opportunities shall be posted in a centralized location at the Program Sponsor's place of business so employees in the restricted pool have access to the notice. Notification of upcoming interview cycles will be posted giving eligible employees 30 days' notice of submittal date for that cycle. Applications shall be accepted for a minimum of two (2) weeks.

## IX. APPLICATION PROCEDURE

All applications shall be identical in form and requirements. The application form shall be numbered in sequence corresponding with the number appearing on the applicant log so that all applications can be accounted for. Columns will be provided on the applicant log to show race/ethnic and sex identification and the progress by dates and final disposition of each application.

Before completing the application, each applicant will be given the opportunity to read

the Registered Apprenticeship Standards and will be informed of the basic qualifications and documents needed to complete the application.

Receipt of the properly completed application form, along with required supporting documents, if applicable, shall constitute the completed application.

Completed applications will be checked for minimum qualifications. Applicants deficient in one or more qualifications or requirements will be notified in writing of their disqualification. No further processing of the application will be taken.

## X. INTERVIEW AND RATING PROCEDURES

Applicants meeting the basic qualifications and submitting the required documents will be notified of a date, time, and place to appear for an interview. All qualified applicants will be interviewed within 45 days of the interview cycle closing date.

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, required documents, and the judgment 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. All eligible candidates will be placed on a "ranking list" according to their respective final rating/score, in rank order from highest to lowest score.

As openings for the registration of new apprentices occur, the highest ranked applicant on that current ranking list will be selected.

An applicant will remain on the ranking list for a period of two (2) years, unless he/she has been removed from the list by his/her own written request or by failure to accept an apprentice position when offered. An applicant not initially selected for apprenticeship may re-apply in any subsequent recruitment during the two-year period he/she is on the ranking list. The applicant's highest score will be used to rank the applicant along with new applicants added to the ranking list. Applicants who are not placed during the two (2) year period they are on the ranking list will be required to reapply.

## XI. COMPLAINT PROCEDURE

Any Apprentice or applicant for apprenticeship who believes that he or she has been discriminated against on the basis of race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status or marital status with regard to apprenticeship or that the Equal Opportunity

Standards with respect to his or 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 U.S. Department of Labor, Office of Apprenticeship, or the Registered Apprenticeship Program, Montana Department of Labor and Industry. The complaint must be filed not later than 300 days from the date of the alleged discrimination or specified failure to follow the Equal Opportunity Standards. The complaint shall be in writing and shall be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the Program Sponsor involved, and a brief description of the circumstances of the failure to apply the Equal Opportunity Standards.

## XII. MAINTENANCE OF RECORDS

All records, including Announcement of Openings, Apprentice Applicant Logs, Applications and supporting documents, Ranking Lists, and other records relating to the selection and employment of apprentices shall be retained for a period of five (5) years, and made available upon request to the Montana Department of Labor & Industry, Registered Apprenticeship Program.



XIII. OFFICIAL ADOPTION

\_\_\_\_\_ pledges to make a good faith effort in meeting or exceeding the labor market area statistics, (see attachment), for minorities, women and individuals with disabilities when selecting apprentices.

Our goals and timetables for the utilization of minorities and women (minority and non-minority) shall be 5 percent for minorities and 24 percent for women (minority and non-minority) and 7 percent for individuals with disabilities of new registrations into the program, within the next twelve (12) month period.

The foregoing Affirmative Action Plan and Selection Procedures are hereby officially adopted this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By: \_\_\_\_\_

\_\_\_\_\_

Print Name \_\_\_\_\_

Glen Disque, State Director  
Montana Registered Apprenticeship

Title: \_\_\_\_\_