



ON-THE-JOB TRAINING (OJT) PROGRAM MANUAL

OJT PROGRAM CONTACT INFORMATION

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1.1 Definitions

Contractor means “prime” contractor.

Disadvantaged Person means an individual or family that meets the Department of Health and Human Services poverty guidelines. These guidelines are updated at least annually and will be utilized as the eligibility criterion for the On-the-Job Training (OJT) Program.

Division Administrator means the chief Federal Highway Administration (FHWA) official assigned to conduct FHWA business in a particular State.

DOT means the U.S. Department of Transportation, including FHWA.

Federal-Aid Contract is any contract between the Indiana Department of Transportation (INDOT) and a contractor that is paid for in whole or in part with DOT assistance.

Journeyman means a person who is capable of performing all the duties within a given job classification or craft.

Minorities mean the following categories for reporting data on race and ethnicity: American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander.

Supportive Services means those services provided in connection with approved on-the-job training programs for highway construction workers and highway contractors which are designed to increase the overall effectiveness of training programs through the performance of various functions necessary to the program, but which are not generally considered part of the actual on-the-job training.

Trainee means a person who received on-the-job training through an approved on-the-job training program.

Training Program means any training or apprentice program that meets the standards set forth in 23 CFR 230 and has been approved by either the FHWA Division Administrator or U.S. Department of Labor.



1.2 Introduction to On-the-Job Training (OJT) Program

The On-the-Job (OJT) Training program is a federal USDOT program to promote the training and hiring of minorities, females and disadvantage white males within the heavy highway construction industry. There is a vast need for these individuals across the industry. INDOT promotes the OJT program within all its federal-aid contracts for prime contractors to participate and meet an annual OJT goal.

The OJT program is related to the FHWA 1391 reporting form in that they both are used to collect data on the workforce and training in the construction industry. The OJT program's goals include increasing training opportunities for women, minorities and disadvantaged individuals. FHWA requires State DOTs to submit annual OJT reports that describes their accomplishments and includes demographic information for each trainee or apprentice.

1.3 Policy Statement

The Indiana Department of Transportation is committed to supporting the growth and development of the highway construction industry through on-the-job training opportunities and experiences. A strong, diverse workforce is vital to building and maintaining Indiana's transportation network, allowing for the safe, efficient movement of goods, people, and services across the Hoosier state and beyond.

As the state and overall industry maintain momentum, the need for qualified, skilled workers continues. The agency's On-the-Job (OJT) Training program remains an essential resource in increasing exposure to highway construction amongst minorities, women, and economically disadvantaged persons, further cultivating potential candidates for a multitude of skilled positions industry-wide.

Michael Smith
Commissioner, INDOT
October 16, 2024



1.4 Nondiscrimination in Programs and Activities

Title VI of the Civil Rights Act of 1964 - Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color or national origin in programs or activities which receive federal financial assistance.

Title VII of the Civil Rights Act of 1964 - Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment and was passed to bring equality in hiring, transfers, promotions, compensation, access to training, and other employment-related decisions.

Form FHWA 1273 - Section II (Nondiscrimination) of Form FHWA-1273 sets forth a contractor's minimum Equal Employment Opportunity requirements. These include acceptance of a general operating policy that prohibits discrimination based on race, color, religion, sex, national origin, age, sexual orientation, gender identity or disability.

23 CFR 230 - The provisions of 23 CFR 230 are applicable to all state highway agencies that receive federal financial assistance in connection with highway construction projects.



1.5 Program Objective

The primary objective of the OJT Program is a contractor-based program to offer equal opportunity for the training and upgrading of minorities, women, and disadvantaged persons toward journeymen status in the highway construction trades. The OJT Program has been developed in accordance with 23 CFR 230, Appendix B to Subpart A (Training Special Provisions) and is administered by INDOT's Business Opportunity Initiatives Division.

1.6 Program Summary

INDOT's OJT Program fulfills its objective by implementing a program that is dynamic and addresses constraints through the following elements:

- INDOT's OJT program is a contractor-based program.
- Affords contractors maximum flexibility in assignment of trainees.
- Encourages contractors to select individual trainees who can become members of the contractor's regular workforce upon successful completion of their approved training program.
- Emphasizes training in skilled-craft classifications using training programs approved by the United States Department of Labor (USDOL).
- Monitors the quality of training each individual receives.
- Assists contractors with addressing their EEO goals through training of minorities, women, and disadvantaged individuals.
- Encourages systematic and direct recruitment of trainees through a variety of referral sources.

INDOT allows contractors the most flexible use of contract hours using a program year of December 1 – November 30.

Contractor Annual Reporting Timeline

All reports are to be submitted to INDOT electronically within the On-the-Job Training application in ITAP. No paper forms are accepted.

Partnership Agreement	must be submitted to INDOT for approval by Jan. 31 **If a brand-new prime contractor, the goal will be set manually**
OJT Trainee Introduction Form	must be submitted to INDOT at time of hire for approval into OJT Program
OJT Trainee Termination/Completion Form	must be submitted to INDOT whenever a trainee is terminated or successfully completes their training program

OJT Monthly Project Report	reflects the number of training hours (both INDOT and non-INDOT) acquired by all trainees for a given month. The report must be submitted to INDOT by the 10th day of each month following the month being reported. For example, March reports are due by April 10 th
Annual OJT Training Report	provides an annual summary of the contractor's OJT performance. The report must be submitted to INDOT within 10 days of receipt

****Only those contractors who are actively working on INDOT federal-aid contracts with a total value of \$3,000,000 or more are required to enroll in the OJT program. But all contractors are welcome to participate in the OJT program.**

1.7 External Workforce Programs & Contacts

INDOT utilizes its OJT/Supportive Services funding to provide programming for high school students and for an introduction to heavy highway construction for adult learners.

INDOT has programs for both adults and youth in high school to receive training and certifications in the heavy highway construction industry. Information regarding all of INDOT's external workforce programming can be found on the INDOT website.

<https://www.in.gov/indot/doing-business-with-indot/equity-initiative-services/external-workforce-programming/>

INDOT External Workforce Programming Contacts

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1.8 Approved USDOL OJT Training Program Information

For the purposes of the OJT program, INDOT only accepts minority, female and economically disadvantaged individual trainees enrolled in a USDOL approved training program. For a full list of approved programs, see USDOL's website. Indiana approved programs are listed here: <https://www.apprenticeship.gov/finder/active-program/listings?searchType=active-programs&search=&location=indiana>. However, any USDOL approved training program is acceptable.

1.9 Goal Methodology

****Only those contractors who are actively working on INDOT federal-aid contracts with a total value of \$3,000,000 or more are required to enroll in the OJT program.**

INDOT does not approve individual OJT programs and defers solely to the USDOL recognized programs.

INDOT Annual Goal Methodology

For the purposes of a pilot goal in the 2025-2026 construction season, INDOT will determine an overall goal by adding the hours reported for all OJT enrollees for December of the prior year plus January to November of the current year. (Example: December 2023 + January 2024 – November 2024 = 2025 overall annual goal). The goal will be submitted to FHWA for approval by December 1, 2024. FHWA will approve the annual goal by January 1, 2025.

Contractor Annual Goal Methodology

INDOT will establish an annual training goal each year in which the contractor is working on a federal-aid contract in the State of Indiana. This annual training commitment will consist of a hour component and a trainee component. The hour component will be calculated by averaging a 20-hour work week multiplied by a 28-week construction season to get a 560-hour goal per trainee. The trainee goal will be calculated by taking the current three-year work history average number of hours worked in the highway construction trades on federal-aid contracts in the State of Indiana (as a prime or subcontractor) and dividing it by the 560 hours per trainee goal to get the number of trainees goal the contractor is required to have for the year. If a contractor does not have a current 3-year history, INDOT will establish the annual training goal at the time the contractor is awarded its first contract for that year.

Formula Example: 20-hour work week x 28 weeks in construction season = 560 hours per trainee
Take average number of INDOT 3-year work history / 560 to get number of trainee goal = number of trainees goal

****Only those contractors who are actively working on INDOT federal-aid contracts with a total value of \$3,000,000 or more are required to enroll in the OJT program.**

****Federal Program Requirement****

INDOT will require all OJT program participants to submit an executed copy of their United States

Department of Labor (USDOL) approved training program concurrent with their OJT partnership agreement. The submission of this document will assist INDOT by providing evidence that the trainee hours claimed are part of an approved program and decrease the potential for misrepresentation or fraud in the OJT program. If you are a union firm, please provide copies of your union agreements. If you are a non-union firm, please provide a copy of your approved training program. Should your firm not have an approved training program in place, please contact Tiffanie Clawson with USDOL at Clawson.Tiffanie.L@dol.gov or 317-226-7003 to determine if an approved training program is available for your line of work. USDOL will assist firms to enroll in an appropriate program and will supply proper documentation to verify enrollment.

1.10 Trainee Eligibility

No individual will be employed as a trainee in any classification in which he/she has successfully completed a training program or in which he/she has been employed as a journeyman.

1.11 Trainee Selection Procedures

The contractor shall make every effort to enroll minorities, women, and disadvantaged persons into their training programs by conducting systematic and direct recruitment through public and private sources (e.g., partnerships with trade groups, minority and women organizations, community-based organizations, and employment agencies) to the extent that such persons are available within a reasonable area of recruitment. The contractor will be responsible for demonstrating the steps taken in pursuance thereof, prior to a determination as to whether the contractor is in compliance with the Training Special Provisions. 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.

INDOT provides information regarding the racial, ethnic and trade classification breakdown of the heavy highway construction workforce on our website.

INDOT educates new contractors and contractors within their 3–5-year review cycle about the prime contractor obligations at the contractor EEO reviews. INDOT also conducts training workshops, and encourages the ability to recruit minorities, females, and individuals below the federal poverty threshold through INDOT’s external workforce programs.

1.12 Trainee Wage Rates

Trainees will be paid at the appropriate percentage of the journeyman’s rate specified in the federal-aid contract for the job classification involved. First and second quarter trainees will be paid at 60%, third quarter trainees will be paid at 75%, and fourth quarter trainees will be paid at 90% of the journeyman rate of the job classification.

INDOT does not provide any reimbursement for participation in the federal OJT program.

1.13 Training Goal Credit

INDOT strongly encourages contractors to utilize trainees on all their projects. **Training credit will be allowed for each eligible trainee employed on any project within the State of Indiana (i.e., federal-aid, municipality, private, etc.).** The prime contractor must utilize its own workforce to fulfill its OJT goal requirement. Prime contractors should encourage their subcontractors, who are not already enrolled in the OJT program, to voluntarily enroll in the OJT program to report their trainee hours on INDOT and non-INDOT work as well. Although prime contractors do not receive credit for the training hours reported by their subcontractors, the voluntary enrollment and reporting will help provide a more accurate representation of the heavy highway construction workforce.

INDOT will require all OJT program participants to submit an executed copy of their United States Department of Labor (USDOL) approved OJT training program concurrent with their OJT partnership agreement. The submission of this document will assist INDOT by providing evidence that the trainee hours claimed are part of an approved program and decrease the potential for misrepresentation or fraud in the OJT program. If you are a union firm, please provide copies of your union agreements. If you are a non-union firm, please provide a copy of your approved training program. Should your firm not have an approved training program in place, please contact Tiffanie Clawson with USDOL at Clawson.Tiffanie.L@dol.gov or 317-226-7003 to determine if an approved training program is available for your line of work. USDOL will assist firms to enroll in an appropriate program and will supply proper documentation to verify enrollment.

The contractor must submit the trainee introduction form prior to the trainee working on site for approval by INDOT. Once approval is received from INDOT the contractor must submit all required monthly reporting for the trainee hours to go towards the OJT goal.

A copy of the step-by-step instructions for the On-the-Job Training application in the Indiana Technical Assistance Pathway (ITAP) is attached.



1.14 Contractor Responsibilities

Contractor responsibilities in implementing the Training Special Provisions include the following:

- 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 ratio of trainees to journeymen shall not be greater than permitted by the terms of the approved training program.
- The contractor will periodically review the training and promotional opportunities for minorities, women, and disadvantaged employees and will encourage eligible employees to apply for such opportunities.
- The contractor will advise employees and applicants for employment of available training programs and entrance requirements.
- The contractor shall furnish each trainee with a copy of the training program he/she is enrolled.
- If a trainee is terminated, the contractor is required to make good faith efforts to replace the trainee.
- Contractors are required to have an approved training program prior to working on a federal-aid contract.
- Contractors are required to follow the USDOL ratio rules for journeyworkers to apprentices on the jobsites. The chart shows the ratio breakdown for each trade classification.

OCCUPATION	HOURS	RATIO: JORNEY WORKER:APPRENTICE
Bricklayer	6000	1:1
Carpenters	8000	1:1
Cement Masons	5600	2:1
Electricians	8000	1:1
Construction Craft Laborers	4000	1:1
Millwrights	8000	1:1
Operating Engineers	6000	6:1
Painters	6000	1:1
Structural Steel/Ironworkers	8000	4:1
Pipefitter	8500	1:1
Mechanics	8000	1:1

1.15 Good Faith Efforts

If a contractor does not or cannot achieve its annual training goal, it must provide adequate Good Faith Efforts documentation. Good Faith Efforts are those efforts designed to achieve equal opportunity through positive, aggressive, and continuous result-oriented measures. Good Faith Efforts should be taken as new trainee opportunities become available.

INDOT will consider all contractors' documentation of Good Faith Efforts on a case-by-case basis. Consideration will be given to the following:

- Availability of minorities, females, and disadvantaged persons for training opportunities.
- The potential for effective training.
- Dollar value and length of contract.
- Total workforce that the average bidder could be expected to use.
- Geographic location.
- Type of work.
- The need for journey-level individuals in the area.

Good Faith Efforts may include, but are not limited to:

- Contact minority and female employees to gain referrals on other minority and female applicants.
- Contact minority and female recruitment sources when hiring opportunities arise.
- Upgrade minority and female unskilled workers into the skilled classifications when possible.
- Review and follow up on previously received applications from minorities and females when hiring opportunities arise.
- Maintain documentation of efforts made to achieve diversity in the workforce.

It is the prime contractor's responsibility to evaluate good faith efforts each time a termination occurs. Good faith efforts are required when reporting a termination in two different scenarios:

- If the total number of goal hours is not attained a GFE is required on how you plan to achieve the goal.
- If the total number of start trainees + plus mid-year trainees – terminations is not equal to or greater than the start number of trainees a GFE is required to replace the trainee.

1.16 Program Monitoring and Sanctions for Noncompliance

INDOT will continuously monitor contractor compliance with the goal and objectives outlined in the OJT Program. If a contractor can demonstrate that it achieved its annual training goal or that it made adequate Good Faith Efforts to do so, then INDOT will make the determination that the contractor is in compliance with the OJT program.

Where a contractor has neither achieved its training goal nor submitted adequate Good Faith Efforts documentation, INDOT will issue a Show Cause Notice for noncompliance and require the contractor to

explain the deficiency and/or submit a written Corrective Action Plan outlining the actions it will undertake to prevent future recurrence. If a contractor fails or refuses to submit a Corrective Action Plan within 30 calendar days of receiving the Show Cause Notice, INDOT may impose administrative sanctions. The contractor will receive a letter requesting monthly reports be sent directly to the OJT Program Manager & the Prequalification Director. Should these reporting expectations not be met administrative sanctions will be put in place. Administrative sanctions for noncompliance may include: referral to the Prequalification Committee, liquidated damages, withholding of progress payments, termination or cancellation of contracts, and removal of prequalification status or inability to bid on future contracting opportunities.

1.17 Contractor Reporting Requirements

OJT Trainee Introduction Form – must be submitted to INDOT at time of hire for approval into OJT Program. Trainee hours may not be claimed until they are approved by INDOT.

OJT Trainee Termination/Completion Form – must be submitted to INDOT whenever a trainee is terminated or successfully completes their training program.

Monthly OJT Project Report – reflects the number of training hours (both INDOT and non-INDOT) acquired by trainees for a given month. The report must be submitted to INDOT **by the 10th day of each month** following the month being reported regardless of hours to report. For example, March reports are due by April 10th.

Quarterly OJT Trainee Evaluation Form – provides a quarterly assessment of the trainee. The report must be submitted to INDOT **by the 10th day of each month** following the quarter being reported. For example, first quarter (January-March) reports are due by April 10th.

Annual OJT Training Report – provides an annual summary of the contractor’s OJT performance. The report must be submitted to INDOT **due January 15th**.

REPORTS ARE DUE AS INDICATED ABOVE REGARDLESS OF ACTIVITY.

1.18 INDOT and FHWA Reporting Requirements

INDOT is required to report annually to FHWA the overall progress of the OJT program for the calendar year. This report is due by January 31st each year. FHWA and USDOT utilizes this information to assess the overall national OJT program to identify strengths and weaknesses throughout the program so tools and trainings can be developed to assist State DOTs and contractors.

1.19 Records

The contractor shall retain all training and reporting records relating to its annual training commitment for a period of three years. Such records shall be available at reasonable times and places for inspection by authorized representatives of INDOT and FHWA.



BUSINESS OPPORTUNITY INITIATIVES ORGANIZATIONAL CHART

