

SECTION 518—TRAINEES ON CONSTRUCTION PROJECTS**518.01—Description.**

This work shall consist of providing the training specified herein as part of the Contractor's EEO affirmative action program.

518.02—Procedures.

The Contractor shall provide each trainee with a copy of a specific program and, upon completion of the training program, a certificate showing the type and duration of training satisfactorily completed. The Contractor shall maintain records and furnish periodic reports documenting his compliance with the requirements herein.

- (a) **Number of Trainees:** The number of trainees to be trained for this contract shall be as specified. If the Contractor sublets a portion of the Contract, he shall determine how many, if any, of the trainees are to be trained by the subcontractor. The Contractor shall retain the primary responsibility for meeting training requirements imposed by this specification. The Contractor shall ensure that these training requirements are made applicable to the subcontract. Where feasible, 25 percent of apprentices or trainees in each occupation shall be in their first year of apprenticeship or training.
- (b) **Distribution of Trainees:** 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. Prior to beginning construction, the Contractor shall submit to the Department for approval the number of trainees to be trained in each selected classification on a form furnished by the Department entitled *Contractor's Selected Work Classification and Training Program*. The Contractor shall specify the starting time for training in each classification. The Contractor will be credited for each trainee employed by him under the Contract who is currently enrolled or becomes enrolled in an approved program.
- (c) **Minorities and Women:** Training and upgrading of minorities and women toward journeymen status are primary objectives. The Contractor shall make every effort to enroll minority and female trainees (e.g., by conducting systematic and direct recruitment through public and private sources likely to yield minority and female trainees to the extent such persons are available within a reasonable area of recruitment). The Contractor shall demonstrate the steps he has taken in pursuance thereof prior to a determination as to whether or not he is in compliance with the requirements herein. This training commitment shall not be used to discriminate against any applicant for training, whether a member of a minority group or not.

- (d) **Use of Journeymen:** No employee shall be employed as a trainee in any classification in which the person has successfully completed a training course leading to journeyman status or has been employed as a journeyman. The Contractor shall satisfy this requirement by including appropriate questions on the employee application or by other suitable means. The Contractor's records shall document the findings in each case.
- (e) **Length and Type of Training:** The minimum length and type of training for each classification will be established in the training program selected by the Contractor and approved by the Department. The Department will approve a program if it is reasonably calculated to meet the EEO obligations of the Contractor and qualify the average trainee for journeyman status in the classification concerned by the end of the training period. Apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training, or with a state apprenticeship agency recognized by the Bureau and training programs approved but not necessarily sponsored by the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training, will also be considered acceptable provided they are being administered in a manner consistent with the EEO obligations of contracts. Approval or acceptance of a training program shall be obtained from the Department prior to the commencement of work on the classification covered by the program.

Training shall be provided in the construction crafts rather than in secretarial skills. Training is permissible in lower management positions, such as office engineers, estimators, and timekeepers, where the training is oriented toward construction applications. Training in the laborer classification will be permitted provided significant and meaningful training is provided and is approved by the Department. Offsite training will be permitted if the training is an integral part of an approved training program and does not comprise a significant part of the overall training.

- (f) **Commencement of Training:** It is normally expected that a trainee will begin training on the project as soon as is feasible after the start of the work that requires the skill involved and will remain on the project as long as training opportunities exist in the work classification or until the trainee has completed the training program. It is not required that all trainees be on board for the entire duration of the Contract. The number trained will be determined on the basis of the total number enrolled under the Contract for a significant period.
- (g) **Payment to Trainees:** Trainees shall be paid at least 60 percent of the appropriate prevailing minimum journeyman's rate for the first half of the training period, 75 percent for the third quarter of the training period, and 90 percent for the last quarter of the training period unless apprentices or trainees in an approved existing program are enrolled as trainees on the project. In such case, the appropriate rates approved by the Department in connection with the existing program shall apply to all trainees being trained for the same classification who are covered by these requirements.

518.03—Measurement and Payment.

Except as otherwise noted herein, the Contractor will be paid \$3.00 per hour, for each employee who is trained in accordance with and for at least the minimum period specified in the approved training program. When approved by the Engineer, the Contractor will be paid for training persons in excess of the number specified. This payment will be made even though the Contractor receives additional training program funds from other sources provided such other source does not specifically prohibit the Contractor from receiving other payment. Payment for offsite training will be made to the Contractor only where he does one or more of the following: contributes to the cost of the training, provides the instruction to the trainee, or pays the trainee's wages during the offsite training period.

If, in the judgment of the Contractor, a trainee becomes proficient enough to qualify as a journeyman before the end of the prescribed training period and the Contractor so employs the trainee, full credit and full payment to the Contractor will be made provided that the period of training given and the length of employment as a journeyman in the classification for which trained are equal to, or in excess of, the training period set forth in the approved training program. If the period of training given plus the period employed as a journeyman does not equal or exceed the training period set forth in the approved training program, the Contractor will be paid \$3.00 per hour for each hour the trainee was trained and employed as a journeyman by the Contractor.

If less than the full training specified in the approved training program is provided and a trainee is not employed by the Contractor as a journeyman in the classification for which trained, payment to the Contractor will be made at \$3.00 per hour for each hour of training completed. No payment will be made to the Contractor if the failure either to provide the required training or to hire the trainee as a journeyman is caused by the Contractor and there is evidence of a lack of good faith on the part of the Contractor in meeting the requirements herein.

SECTION 519—SOUND BARRIER WALLS**519.01—Description.**

This work shall consist of furnishing and constructing precast concrete, metal, or plywood sound barrier walls in accordance with these specifications and approved working drawings and in reasonably close conformity to the lines, grades, and details shown on the plans or as established by the Engineer.

519.02—Materials.

The Contractor may furnish either metal or concrete sound barrier walls. Walls shall conform to the requirements of the applicable specifications.