

TRAINING SPECIAL PROVISION (TSP) REQUIREMENTS



Contractors



Office of Civil Rights Programs



Training Special Provision (TSP) Defined

(in accordance with 23 CFR 230 –Subpart A)

- TSP is a specific training requirement included in some federal-aid contracts based on
 - Contract value
 - Type of work
 - Duration of project
 - County unemployment rate
 - Other projects within county containing TSP requirements
- Contractor is required to fill the number of training slots assigned, not the number of training hours included as part of the contract.





Purpose of the TSP

- To assist contractors in satisfying Equal Employment Opportunity Requirements.
- To improve the skills of women, minorities, and economically disadvantaged persons in the construction industry.
- To increase the overall number of trained employees working in highway construction.





General Information

- Contractors are required to utilize the SCDOT On-the-Job Training Program Manual.
- OJT Manual can be downloaded from the SCDOT website:
https://www.scdot.org/business/pdf/businessDevelop/OJT_manual.pdf
- Contractors must periodically check website for new classifications and/or revisions to the manual.
- Contractors can request the addition of new classifications by developing a Training Outline and submitting to the Office of Civil Rights Programs for review and approval.



OJT Annual Update Form

- Submitted by January 1st of each year directly to the Office of Civil Rights Programs.
- Submission of this form covers all projects on which the contractor is/will be training for the entire year.
- Form may be e-mailed to BerryTN@scdot.org (Original hardcopies are not necessary).
- Prime contractors are responsible for ensuring that all subcontractors submit an annual update form to the prime to be turned in to the Office of Civil Rights Programs.



Initial Training Schedule (ITS)

- The ITS is a tentative plan indicating which classifications contractors will train in and the expected enrollment date for each training slot.
- The ITS must be submitted **directly** to and approved by the Office of Civil Rights Programs **prior** to work beginning on the project.
 - Due to the Office of Civil Rights Programs thirty (30) calendar days after receipt of the OJT Awards Letter.
 - Form does not need to be submitted to the RCE/Consultants.
- Prime contractor is responsible for submitting an ITS including which, training slots will be filled by subcontractor(s).



Initial Training Schedule (ITS)

(continued)

- A revised ITS must be submitted for approval, if the expected classification and/or enrollment date changes.
- Contractor will be advised once the ITS is approved and the RCE/Consultant and DEA will be copied on the approval/denial documentation.
- Information must be submitted on the “Initial Training Schedule” form located in the SCDOT OJT Program Manual.



SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

On-the-Job Training – Initial Training Schedule
 (To be submitted directly to the SCDOT OJT Program Coordinator)

SC File No. 11.111B Prime Contractor Jones Contracting Services
 Fed. Aid Proj. No. ABC-DEFG(001) Address 2222 Jones Road
 Date 01/01/14 City/State/Zip Jonesville, SC 29222

Total Number of Road Slots 2 Total Number of Bridge Slots 2

Initial Revised (Number _____)

P = Prime S = Sub	Contractor	Rd/ Br Slot	Training Classification	Req. Hrs.	Month and Year Begin Training
P	Jones Contracting Services	Rd	Asphalt Paver	1040	November 2016
P	Jones Contracting Services	Br	Bridge Worker	720	November 2016
S	ABC Construction	Rd	Loader Operator	520	January 2015
S	XYZ Construction Co.	Br	Bridge Carpenter	2080	October 2015
SAMPLE					

(If additional space is needed, please attach a separate sheet.)

If subcontractors are used for some/all of the training, attach a separate sheet of paper with the name of the OJT contact person, contractor name, address, and phone number for the subcontractor(s).

Submitted by:		Approved by SCDOT OJT Program Coordinator:	
Name	Janet Jones	Name	
Title	Human Resource Director	Title	
Signature	<i>Janet Jones</i>	Signature	
Date	01/01/14	Date	

B-04



Selection of Trainees

- 60-70% of the trainees on each project **must** be either:
 - women,
 - minorities, and/or
 - economically disadvantaged individuals
- At least 50% of the trainees **must** be “new hires” for the company:
 - A “New Hire” is someone who has been employed by the firm for six (6) months or less.
 - An “Upgrade” is a person who has worked for the company for more than six (6) months, either in the same capacity the entire time, or in a variety of lower skilled positions.
- Temporary employees are **ineligible** to participate in the On-the-Job Training Program as a part of contractor’s fulfillment of the Training Special Provision requirements.



Enrollment Forms

- Forms are to be submitted directly to the Office of Civil Rights Programs.
- Enrollment forms must be approved before training begins. Any training hours received prior to approval cannot be counted towards completion of the Training Special Provision requirements.
- Contractors are required to explain, in detail the OJT Program to employees before submitting the enrollment form.
- All information must be completed on the form.
- A copy of the Enrollment Form & Training Outline must be provided to each trainee.
- A copy of the “disadvantaged” definition must be shown to an employee while completing the form.



Enrollment Forms

(continued)

- Contractors must ensure that the employee initials the certification box, indicating that he/she has not received previous training in the classification for which they are requesting approval.
 - A thorough assessment/evaluation must be conducted with each trainee regarding any previous work experience.
- SCDOT will respond, by e-mail, within 2-3 days of receipt.
- Approval/Denial documentation will be e-mailed to the contractor(s) and RCE.
- Contractor must provide a copy of the approved & denial enrollment form to the trainee.
- Denial of an employee, to be enrolled in the OJT Program, only prevents contractor from receiving credit for fulfillment of the Training Special Provision requirements on the project. It does **not** prevent contractor from training that particular employee.



SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
On-the-Job Trainee Enrollment Form
 (To be submitted directly to the SCDOT OJT Program Coordinator)

SC File Number 11.111B Project County Richland
 Social Security # 123-45-6789 Telephone Number (803) 555 - 5555
 Trainee Name Jane Smith
 Home Address 123 Smith Street Jonesville SC 29222
 (Street) (City) (State) (Zip)

Status: New Hire Upgrade (If Upgrade, previous classification Laborer)

Disadvantaged (by SCDOT Definition): Yes No Gender: Male Female

Race
 White Black/African American Native Hawaiian/Other Pacific Islander
 Asian Hispanic/Latino American Indian/Alaska Native
 Two or More Races (please identify _____)

Company Name Jones Contracting Services
 Address 2222 Jones Road Jonesville SC 29222
 (Street) (City) (State) (Zip)
 Contact Person Janet Jones Telephone Number (803) 555 - 5556
 Training Classification Asphalt Paver Hours Required 1040
 Instructor Joe Jones Date Training Expected to Begin _____

TRAINING SHOULD NOT BEGIN UNTIL APPROVAL HAS BEEN RECEIVED FROM THE SCDOT OJT PROGRAM COORDINATOR.

This is to certify that, to the best of my knowledge, I have never graduated from a training program nor have I been paid as a skilled employee in this classification. I also do not have a significant amount of experience in this training classification. In addition, I have been given a copy of the Training Outline showing the hours required and the applied techniques necessary to complete the training for this classification. JS (Applicant initials)

SAMPLE

Jane Smith Signature of Employee 9/24/2019 Date

Janet Jones Signature of Employer 9/24/2019 Date

 SCDOT OJT Program Coordinator Date

THIS IS AN EQUAL OPPORTUNITY PROGRAM



Monthly Training Status Reports (MTSRs)

- Reports must include only the hours that trainees are engaged in training activities.
- Contractor must also maintain a separate training log, including the specific skills (based on the Training Outline) a trainee works on during a given time period.
 - Examples are available by e-mailing BerryTN@scdot.org.
- Reports must be submitted each month even if zero (0) hours of training were completed:
 - Explanation for why no training hours were received must be noted.
- Each report must include the hours from the previous months, until all columns are filled.
- Trainees must be given copies of reports on a monthly basis.



Monthly Training Status Reports (MTSRs) (continued)

- Prime Contractors must submit reports to the RCE/Consultant by the **10th** of the month, following the month in which training was done.
- Subcontractors must submit reports to the Prime Contractor by the **5th** of the month, following the month in which training was done.
- Monthly Training Status Reports must include contractor's signature before submitting to the RCE/Consultant.



MONTHLY TRAINING STATUS REPORT

South Carolina Department of Transportation – On-The-Job Training Program

INSTRUCTIONS: This report is to be completed by the Contractor (or subcontractor) monthly for each individual who has received training during the month on a project under the Training Special Provision requirements. The report is to be submitted by the 10th of the month following the end of the reporting period. One copy of the report should be submitted to the Resident Construction Engineer/Consultant and one copy is to be given to the trainee. Reports are to be submitted MONTHLY on each trainee, even if no training was performed during the month.

(1) S.C. File Number: 11.111B		(2) Trainee's Name: Jane Smith		(3) Report Date Ending: January 2014							
(4) Training Category New Hire <input type="checkbox"/> Upgrade <input checked="" type="checkbox"/>		(5) Is Trainee a Disadvantaged Person? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		(6) Trainee's Gender M <input type="checkbox"/> F <input checked="" type="checkbox"/>							
(7) Trainee's Race: <input type="checkbox"/> White <input checked="" type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Native Hawaiian/Other Pacific Islander <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Two or More Races (please identify _____)											
(8) Training Classification: Asphalt Paver				(9) Total Hours Required: 1040							
(10) Date Trainee Approved to Begin Training: 10/05/13		TRAINING SHOULD NOT BEGIN UNTIL APPROVAL HAS BEEN RECEIVED FROM THE SCDOT OJT PROGRAM COORDINATOR.									
INSTRUCTIONS: One vertical column is to be completed for each succeeding month and the form resubmitted. Enter month and year as applicable in columns A through J. Each report should be cumulative.											
Line No.	Month →	A	B	C	D	E	F	G	H	I	J
	Hours of training	2014	2014	2014	2014	20__	20__	20__	20__	20__	20__
(11)	Provided during month on <u>this</u> project	50	95	203	80						
(12)	Provided to date on <u>this</u> project	50	145	348	428						
(13)	Total accumulated hours transferred from <u>other</u> projects		20	30	45						
(14)	Remaining to complete program	990	875	762	567						
(15) List training received in this classification during the month on <u>any</u> other projects. (Certified or Non-certified payrolls for private jobs transfer hours should be attached.)						Project No.	Transfer Hours	Project No.	Transfer Hours		
						(1) SC File 10.223	15	(4)			
						(2)		(5)			
						(3)		(6)			
(16) Comments on progress of trainee/Explanation for why no training was completed for the specified month/Any other relevant remarks:											
Jane is doing great.											
(17) Current Status of Trainee: <input checked="" type="checkbox"/> Continuing <input type="checkbox"/> Terminated (must attach a Trainee Termination Form)						(18) Date Report Completed:		02/02/14			
(19) Signature and Title of Person Completing Form:						<i>Janet Jones</i>					
(20) Contractor's Name and Telephone Number:						Jones Contracting Service – 803-555-5556					
(21) Resident Construction Engineer's/Consultant's Signature:						(22) Date Signed:					
<i>John Doe</i>						2/2/2014					



General Transfer Guidelines

- **A trainee may accumulate transfer training hours from other projects (SCDOT and non-SCDOT)**
 - Contractor will **not** receive payment for **any** transfer hours accumulated on other projects.
 - Trainees may accumulate no more than **25%** of the required hours from other projects.
 - Transfer hours must be logged separately on the Monthly Training Status Reports (MTSR).
 - Contractor must attach a copy of the certified payroll from other SCDOT jobs verifying transfer hours to the MTSR.
 - If transfer hours are from non-SCDOT jobs, copies of payroll must still be submitted in order to receive credit for any transfer hours.
 - **Trainees must be denoted as trainees on the certified payroll and initialed by the contractor when they are actively training.**
 - Private projects may have a time sheet, if there is no certified payroll.



MONTHLY TRAINING STATUS REPORT

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(4) Training Category New Hire <input type="checkbox"/> Upgrade <input checked="" type="checkbox"/>			(5) Is Trainee a Disadvantaged Person? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		(6) Trainee's Gender M <input type="checkbox"/> F <input checked="" type="checkbox"/>						
(7) Trainee's Race: <input type="checkbox"/> White <input checked="" type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Native Hawaiian/Other Pacific Islander <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Two or More Races (please identify _____)											
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INSTRUCTIONS: One vertical column is to be completed for each succeeding month and the form resubmitted. Enter month and year as applicable in columns A through J. Each report should be cumulative.											
Line No.	Month	A	B	C	D	E	F	G	H	I	J
	Hours of training	2014	2014	2014	2014	20__	20__	20__	20__	20__	20__
(11)	Provided during month on <u>this</u> project	50	95	203	80						
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		(1) SC File 10.223		15		(4)					
		(2)				(5)					
		(3)				(6)					
(16) Comments on progress of trainee/Explanation for why no training was completed for the specified month/Any other relevant remarks: Jane is doing great.											
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(20) Contractor's Name and Telephone Number:				Jones Contracting Service – 803-555-5556							
(21) Resident Construction Engineer's/Consultant's Signature: <i>John Doe</i>						(22) Date Signed: 2/2/2014					



Termination Reports

- Contractor must complete a report for every trainee, regardless of the reason for termination.
- Termination Report must be submitted to the RCE, along with the last Monthly Training Status Report, as soon as the trainee terminates from the training program.
- Specific reason for termination must be included on termination report.
- “Certificate of Completion” must be attached, if trainee has successfully completed the program.



Request for Payment

- Payment should only be requested once the entire TSP requirement for the project is met or construction work on the project has been completed, whichever occurs first.
- Form is submitted directly to the Office of Civil Rights Programs. (Original hardcopy is required).
- Prime Contractor must include request for payment of training hours on behalf of all subcontractors.
- Payment is made directly to the prime contractor. Prime contractor is responsible for forwarding payment for training hours to all applicable subcontractors.
- Design-Build projects are not eligible for payment of training hours.



Request for Payment

(continued)

- Pay rate is \$.80 per training hour.
 - Payment will not be made for any training hours completed by extra trainees enrolled on the project
- Reimbursement is not made for trainees who have completed less than $\frac{1}{2}$ of the required training hours.
- An explanation for failure to complete training must accompany the Request for Payment Form, if the TSP requirement has not been met.
- Payment is based on the total number of hours completed by each trainee (up to the total required hours for their approved classification) regardless of hours listed in contract.



On-Site Reviews

- Method for ensuring compliance with TSP requirements on applicable projects.
- Includes interviewing the following:
 - Contractor's OJT Coordinator
 - Trainees
 - Trainee Graduates
 - Trainee Supervisors
- A final assessment report will be developed and distributed to contractor and RCE.
- Follow-up will be conducted to check on the status of deficiencies noted during on-site review.



Steps To Ensure Compliance

- Reminders are sent to the contractor (Letters, E-mails and Phone Calls) – are made to ensure compliance is documented.
- Monthly and/or Final Pay Estimate can be withheld on entire project for failure to comply with TSP requirements.
- Contractor can be restricted from bidding on future projects for a specified period of time.



On-the-Job Training Manual

A collage of three images showing workers in different settings: a woman in a blue hard hat and safety glasses, a woman in red safety glasses, and a woman in a white hard hat holding a tablet.

https://www.scdot.org/business/pdf/businessDevelop/OJT_manual.pdf

