

## Appendix D

### **QUALIFICATIONS AND SELECTION PROCEDURES**

#### **ADOPTED BY**

***Southern Nevada Joint Management Culinary and Bartenders  
Training Fund dba Culinary Academy of Las Vegas (CALV)***

**DEVELOPED IN COOPERATION WITH THE  
US DEPARTMENT OF LABOR, THE GOVERNOR'S OFFICE OF WORKFORCE INNOVATION, AND  
THE NEVADA STATE APPRENTICESHIP COUNCIL**

**The certification of this selection procedure is not a determination that, when implemented, it meets the requirements of the Uniform Guidelines on Employee Selection Procedures (41 CFR § 60-3) or 29 CFR § 30. Note that selection procedures may need to be modified to provide reasonable accommodations to qualified individuals with disabilities.**

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## **SECTION I - MINIMUM QUALIFICATIONS**

Applicants will meet the following minimum qualifications. These qualification standards, and the score required on any standard for admission to the applicant pool, must be directly related to job performance, as shown by a statistical relationship between the score required for admission to the pool and performance in the apprenticeship program:

A. **Age**

Minimum qualifications required by the sponsor for persons entering the apprenticeship program, with an eligible starting age not less than 18 years.

B. **Education**

A high school diploma, General Educational Development (GED) equivalency or other high school equivalency credential is required. Applicant must provide an official transcript(s) for high school and any post-high school education. Applicant must submit the GED certificate or other high school equivalency credential if applicable. Applicants affiliated with recognized pre-apprenticeship or school-to-apprenticeship programs recognized by this program must have completed at least the 10<sup>th</sup> grade of high school with a GPA of 2.0 or higher. For currently enrolled high school students, applying to a high school registered apprenticeship program, the high school diploma or GED requirement is waived. Obtainment of a GED or high school diploma will be a requirement for completing the apprenticeship program.

C. **Physical**

Applicants will be physically capable of performing the essential functions of the apprenticeship program, with or without a reasonable accommodation, and without posing a direct threat to the health and safety of the individual or others.

Applicants will pass screening for the current illegal use of drugs required by the employer on acceptance into the program and prior to being employed.

D. **Aptitude Test**

When required by an employer, each applicant must pass any aptitude test given by the employer which will be used as one factor in the selection process.

E. **Others**

Applicants must have reliable transportation to the job and related instruction as appropriate; and must possess such speaking, reading, and comprehension abilities as may be essential for reading and understanding written and oral instructions applicable to their occupation.

## **SECTION II - APPLICATION PROCEDURES**

When an apprenticeship opening occurs, one or more of the following procedures will be followed:

**1. *Alternative selection method***

The sponsor may select apprentices by any other method, including its present selection method, provided that the sponsor meets the requirements listed in 29 CFR § 30.5(b)(4). This may include one or more of the following steps:

- A. Sponsor will schedule an interview and evaluation session. All applicants who have met the minimum qualifications and have submitted the required documents will be notified of the date, time, place and/or method for the conduct of the interview. The recruiter/interviewer will record the questions asked and the general nature of the applicant's answers during this interview process. The sponsor's selecting official will evaluate each applicant interviewed on like factors taking into account the information on the application and required documents, as applicable using an Interview Guide.
- B. Upon completing all interviews and analyzing the applicants' qualifications the sponsor's selecting official will make a determination using the annotated Interview Guides. Applicant(s) with the highest evaluation will be selected first. The selected applicant(s), depending on the number of vacancies offered by the advertised announcement, will be offered employment in order of evaluation and upon acceptance of employment will be placed in the apprenticeship program.
- C. Selected applicants must respond to the offer of employment within 48 hours of notice of selection. If applicant(s) do not respond within the period specified, the sponsor will move past their name to the next applicant in the pool. Applicants passed over will be contacted by the sponsor by email and/or phone to determine if the applicants are still interested. If no response is received in fifteen (15) working days from this notice, the applicant's name will be removed from the pool.
- D. After all offers of employment have been extended and accepted by the selectee(s), as applicable, the remaining applicants in the pool of eligibles will be notified of their non-selection under this vacancy announcement. The non-selection notice will also include instructions on how they can apply for any future openings.
- E. Qualified applicants remaining in the pool of eligibles will be kept on file for a period of two (2) years, unless the applicant is removed from the pool by their own written request or following failure to respond to an offer of employment.
- F. During the two (2) year period, to update their status in the pool of eligibles, applicants who feel that their qualifications have improved since their original placement in the pool may submit evidence of such additional experience and/or training by updating their candidate profile and request reevaluation or by simply submitting a new application for subsequent vacancy announcements.

## **2. Selection from pool of current employees**

The sponsor may select apprentices from an eligibility pool of the workers already employed by the program sponsor or by the sponsor's established promotion policy. The sponsor adopting this method of selecting apprentices shall establish goals for the selection of minority and female apprentices, unless the sponsor concludes, in accordance with the

provisions of 29 CFR §§ 30.4(d), (e), and (f) that it does not have deficiencies in terms of underutilization of minorities and/or women (minority and nonminority) in the apprenticeship of journeyworker occupations represented by the program. Employer must attach an outline of their in-house selection process with their Employer Acceptance Agreement.

The decision of the Company with respect to the selection of apprentices is final.

#### **SECTION IV - DIRECT ENTRY**

Sponsors that wish to invoke the direct entry provision may do so without regard to the existing selection procedure or minimum qualifications used for entry into the apprenticeship program. Individuals selected into the apprenticeship program via direct entry shall include only those individuals described below who have received training or employment in an occupation directly or indirectly related to the occupation(s) registered in these standards. The sponsor will award credit for previous experience in accordance with Section XII of these standards and will pay each apprentice at the wage rate commensurate with his or her skill attainment. The credit for previous experience shall be awarded without regard to race, color, religion, national origin, or sex. The methods for direct entry are as follows:

##### **Sponsor must select the one's they will use**

- A.  A youth who has completed a Job Corps training program in any occupation covered in these standards and who meets the minimum qualifications of the apprenticeship program may be admitted directly into the program, or if no apprentice opening is available, the Job Corps graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The sponsor will evaluate the Job Corps training received to grant appropriate credit on the term of apprenticeship. Entry of Job Corps graduates will be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***
- B.  A youth who has completed a YouthBuild training program in any occupation covered in these standards and who meets the minimum qualifications of the apprenticeship program may be admitted directly into the program, or if no apprentice opening is available, the YouthBuild graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement.

The sponsor will evaluate the YouthBuild training received to grant appropriate credit on the term of apprenticeship. Entry of YouthBuild graduates will be done without regard to race, color, religion, national origin, or sex. ***(Note: This is a method of direct entry into the apprenticeship program.)***

- C.  A military veteran who is registered with the Helmets to Hardhats program or has completed military technical training school and/or participated in a registered apprenticeship program or related occupation while in the military in the occupations registered in the specific industry may be given direct entry into the

apprenticeship program. The sponsor shall evaluate the military training received for granting appropriate credit on the term of apprenticeship and the appropriate wage rate. The sponsor will determine what training requirements the veteran needs to meet to ensure he or she receives all necessary training for completion of the apprenticeship program. Applicants must submit a DD-214 to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience. Entry of military veterans shall be done without regard to race, color, religion, national origin, or sex. **(Note: This is a method of direct entry into the apprenticeship program.)**

- D.  A former inmate of the U.S. Department of Justice Bureau of Prisons (BOP) who has participated in or successfully completed a specific BOP apprenticeship program may be given direct entry into the apprenticeship program. Sponsors agreeing to admit such individuals into apprenticeship must do so without regard to present minimum qualifications, eligibility lists, or scores on written apprenticeship entrance tests. Entry into the program by this method shall be done without regard to race, color, religion, national origin, or sex. The credit for previous experience shall be awarded without regard to race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information or because they are an individual with a disability or a person 40 years old or older. **(Note: This is a method of direct entry into the apprenticeship program.)**
- E.  A senior citizen who has completed a Senior Community Service Employment Program (SCSEP) pre-apprenticeship training program in any health care occupation covered in these standards and who meets the minimum qualifications of the apprenticeship program may be admitted directly into the program, or if no apprentice opening is available, the SCSEP graduate may be placed at the top of the current applicant ranking list and given first opportunity for placement. The sponsor will evaluate the SCSEP training received to grant appropriate credit on the term of apprenticeship. Entry of SCSEP graduates will be done without regard to race, color, religion, national origin, or sex. **(Note: This is a method of direct entry into the apprenticeship program for the health care industry.)**
- F.  An individual who has completed a structured pre-apprenticeship training program that meets the requirements outlined in Training and Employment Notice 13-12, Defining a Quality Pre-Apprenticeship Program and Related Tools and Resources, in any occupational area covered in these standards of apprenticeship and who meets the minimum qualifications of the apprenticeship program may be admitted directly into the program. The candidate shall provide official documentation confirming that he or she fulfilled the specific requirements of the pre-apprenticeship program, such as completion/graduation certificates, transcripts, notarized letters of confirmation, and sworn statements.

The sponsor will evaluate the training received to grant appropriate credit on the term of apprenticeship. Entry of pre-apprenticeship candidates shall be done without regard to race, color, religion, national origin, or sex. **(Note: This is a method of direct entry into the apprenticeship program.)**

## **SECTION V - COMPLAINT PROCEDURE**

- A. Any apprentice or applicant for apprenticeship who believes that he/she has been discriminated against on the basis of race, color, religion, national origin, or sex with regard to apprenticeship or that the equal opportunity standards with respect to his/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 State Apprenticeship Council, via Registration Agency or, at the apprentice or applicant's election, with the private review body established by the sponsor (if applicable).
- B. The complaint will be in writing and will be signed by the complainant. It must include the name, address, and telephone number of the person allegedly discriminated against, the sponsor involved, and a brief description of the circumstances of the failure to apply equal opportunity standards.
- C. 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. In the case of a complaint filed directly with the review body designated by the sponsor to review such complaints, any referral of such complaint by the complainant to the Registration Agency must occur within the time limitation stated above or 30 days from the final decision of such review body, whichever is later. The time may be extended by the State Apprenticeship Council for good cause shown.
- D. Complaints of discrimination and failure to follow equal opportunity standards in the apprenticeship program may be filed and processed under 29 CFR § 30 and the procedures as set forth above.
- E. The sponsor will provide written notice of its complaint procedure to all applicants for apprenticeship and all apprentices.

## **SECTION VI - MAINTENANCE OF APPLICATION AND SELECTION RECORDS**

The sponsor will keep adequate records, including a summary of the qualifications of each applicant; the basis for evaluation and for selection or rejection of each applicant; the records pertaining to interviews of applicants; the original application for each applicant; information relative to the operation of the apprenticeship program, including, but not limited to, job assignment, promotion, demotion, layoff, or termination; rates of pay or other forms of compensation or conditions of work; hours including hours of work and, separately, hours of training provided; and any other records pertinent to a determination of compliance with 29 CFR § 30, as may be required by the U.S. Department of Labor.

The records pertaining to individual applicants, selected or rejected, will be maintained in such manner as to permit the identification of minority and women (minority and nonminority) participants.

Each sponsor must retain a statement of its affirmative action plan for the prompt achievement of full and equal opportunity in apprenticeship, including all data and analyses made pursuant to the requirements of 29 CFR § 30.4. Each sponsor also must maintain evidence that its qualification standards have been validated in accordance with the requirements set forth in 29 CFR § 30.5(b). If



## 2021 CALV INJ Standards of Apprenticeship

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applicants are interviewed during the selection process, adequate records include a brief summary of each interview and the conclusions on each of the specific factors - e.g., motivation, ambition, and willingness to accept direction - that are part of the total judgment.

Records will be maintained for 5 years from the date of last action and made available upon request to the U.S. Department of Labor or other authorized representative.





**SECTION VII - OFFICIAL ADOPTION OF SELECTION PROCEDURES**

**Culinary Academy of Las Vegas (CALV) hereby adopts these Qualifications and Selection Procedures on this 15 day of Mar, 2021.**

*Sponsor(s) may designate the appropriate person(s) to sign the standards on their behalf.*

*Ana Puljic*

Date: 3/15/21

**Signature of Sponsor (designee)**

**Ana Puljic**

**Executive Director of Student Services**

**Culinary Academy of Las Vegas**