

IND 85

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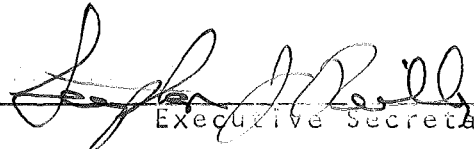
STATE OF WISCONSIN )  
DEPT. OF INDUSTRIAL COMMISSION ) SS.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Stephen J. Reilly, Secretary of the Industrial Commission of Wisconsin, and custodian of the official records of said Commission, do hereby certify that the attached amendments to Wisconsin Administrative Code Ind 85.11 through Ind 85.17 were adopted by the Industrial Commission on June 21, 1967.

I further certify that said copy has been compared by me with the original on file in this Commission and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 27th day of June, A. D., 1967.

  
Executive Secretary

## ORDER OF THE INDUSTRIAL COMMISSION

Pursuant to authority vested in the Industrial Commission by section 101.01 to 101.29-Wis. Stats., the Industrial Commission hereby adopts rules as follows:

### Adopt

Ind 85.11 Equal opportunity standards (1) All apprenticeship programs registered with the Wisconsin Industrial Commission shall be operated on a non-discriminatory basis.

(2) The selection of apprentices shall be made on the basis of qualifications alone in accordance with objective standards which permit review, with full and fair opportunity for application.

(3) There shall be no discrimination in apprenticeship or employment during apprenticeship after selections have been made. All apprentices shall be subject to the same job performance requirements as established by the employers and/or joint committees, and approved by the Wisconsin Industrial Commission.

Ind 85.12 Selection of apprentices (1) Apprentices shall be selected on the basis of qualifications alone. This means that apprentices are chosen from those applicants meeting the minimum qualifications for the trades or crafts solely on the basis of their qualifications compared to those of other applicants. Examples of comparative qualifications are: fair aptitude tests, school diplomas, age requirement, physical requirements, fair interviews, school grades, and previous work experience. Both selection and entry into an apprenticeship program must be on the basis of qualifications. Requirements for qualifications and eligibility must be specifically determined. Requirements must be established and made available to the Industrial Commission prior to selection. Adequate records of the selection process must be kept and made available to the Industrial Commission upon request. These records must include a summary of each interview and the conclusions on each of the specific factors which were a part of the total judgment. Such records must be retained for at least two years.

(2) Information concerning apprenticeship opportunities shall be posted at the normal place of application, and made available to the Industrial Commission's Employment Service, and local schools so that this information can be publicly disseminated with the intent to give full and fair opportunity for application to all interested parties.

(3) With respect to programs registered with the Industrial Commission prior to January 1965, apprentices may be selected in any manner in which the selections themselves demonstrate equality of opportunity, and is acceptable to the Commission.

Ind 85.13 Prior application lists (1) Where applications lists have been found upon the investigation of the Wisconsin Industrial Commission to have established a discriminatory pattern, or where discrimination has been practiced because of race, creed, color, or national origin, such applicant lists will be opened to the extent necessary to provide current opportunities for the selection of qualified members of racial and ethnic minority groups.

Ind 85.14 Formal nondiscrimination provisions (1) All apprenticeship standards registered with the Wisconsin Industrial Commission shall contain the following formal nondiscrimination provision:

"Selection of apprentices under the program shall be made from qualified applicants on the basis of qualifications alone and without regard to race, creed, color, national origin, sex, or occupationally irrelevant physical handicaps in accordance with objective standards which permit review, after full and fair opportunity for application; and this program shall be operated on a completely nondiscriminatory basis."

Ind 85.15 New registrations (1) Any program sponsor seeking Wisconsin Industrial Commission registration of their program after January 1, 1965, must select apprentices on the basis of qualifications alone in accordance with objective standards which permit review after full and fair opportunity for application, and must adopt the nondiscrimination clause in Ind 85.14 (1). The commission shall conduct a review of registered programs to determine their racial, ethnic composition; whether the apprenticeship standards include the required statement regarding the selection of apprentices; whether the selection of apprentices is made on the basis established for the "selection of apprentices;" and whether the employment and training program of the sponsor operates on a nondiscriminatory basis.

(2) The commission shall take appropriate action regarding programs which do not adopt, and operate in accordance with the standards, such appropriate action to include but not be limited to, notifying the program sponsor in writing it has not adopted or is not operating in accordance with the equal

opportunity standards, and permitting said sponsor a reasonable time, not to exceed thirty days, to take corrective action. If these efforts to obtain corrective action fail, then the commission may initiate hearing pursuant to section 227.02 Wis. Stats.


(3) The commission shall maintain a file regarding reviews.

Ind 85.16 Complaints (1) The commission shall continue to receive and investigate complaints of discrimination based on race, creed, color, sex, or national origin. The commission shall also receive and investigate complaints that these rules have not been followed.

Ind 85.17 Violations of rules (1) No apprenticeship programs shall be registered to a program sponsor who is found to be in violation of these rules.

The rules as repealed and recreated shall become effective on the first day of the month following publication in the Wisconsin Administrative Code as provided in Section 227.

INDUSTRIAL COMMISSION OF WISCONSIN

  
Stephen J. Reilly  
Executive Secretary

June 27, 1967