

**CONTRACTOR COMPLIANCE CHECKLIST
FOR
CONTRACTORS ON FEDERAL-AID CONSTRUCTION PROJECTS
CONTRACT REQUIREMENTS - SPECIFIC EEO RESPONSIBILITIES**

___1. **GENERAL** (be aware of authority for provisions, the need to cooperate with state and federal government, and scope of coverage)

___2. **EEO POLICY** (develop company EEO policy statement and have a positive continuing program)

___3. **EEO OFFICER** (appoint EEO Officer and notify DOTD of appointment) **the officer should be someone with the knowledge/expertise in Equal Employment Opportunity and typically is not the owner(s) of the firm.**

___4. **DISSEMINATION OF POLICY** (internally and externally)

___meet with key personnel before project begins and then no less often than every 6 months

___orient new supervisor as to contractor's EEO obligations within 30 days

___meet periodically with all employees, provide copy of EEO policy, etc.

___post policy at home office and project site/ include notices covering employee referrals, training program information, and identification of EEO Officer and contact information

___5. **RECRUITMENT** (exert good faith efforts to achieve and maintain acceptable representation of minorities and females when vacancies occur in the work force)

___include "An Equal Opportunity Employer" notation in all ads ___conduct systematic and direct recruitment (identify sources of potential minority and female employees, establish referral procedures, and contact sources)

___encourage present employees to refer minority and female applicants through posting notices and discussion with employees

___6. **PERSONNEL ACTIONS** (must ensure nondiscrimination in wages, working conditions, employee benefits, hiring, upgrading, promotion, transfer, demotion, layoff, and termination)

___periodically review selected personnel actions and spread of wages

___conduct project site inspections

___ensure EEO policy, EEO poster and other required notices are posted

___investigate complaints of alleged discrimination

___7. **TRAINING AND PROMOTION** (if the project and work force can support these actions)

___fulfill Training Special Provisions if opt to train under the contract

- ___provide formal and informal training when appropriate
- ___advise employees and applicants of available training programs
- ___periodically review the training and promotion potential of minority and female employees and encourage eligible employees to apply

___8. **UNIONS** (use best efforts to obtain the cooperation of unions to increase opportunities and to effect referrals of minority group and female employees)

- ___cannot rely on unions as sole referral source as they are only given first opportunity to fill requests for referrals
- ___conduct independent recruitment if unions are unable to provide a reasonable flow of minority and female referrals within the collective bargaining agreement time limit

___9. **SUBCONTRACTING** (use best efforts to solicit bids from and utilize minority group and female subcontractors with meaningful minority group and female representation)

- ___comply with DBE requirements if contract has a DBE goal
- ___ensure subcontractor compliance with EEO obligations
- ___include all EEO provisions of prime contract in all subcontracts of \$10,000 or more in value
- ___**Include Required Contract Provisions (FHWA-1273) to material suppliers of \$10,000 or more in value and make binding on agreement**

___10. **RECORDS AND REPORTS** (as required to document actions and determine compliance)

- ___must maintain records for at least 3 years following completion of work or longer if necessary
- ___must submit Annual EEO Report (Form FHWA-1391), when applicable, by the **second Friday in August** of each year according to instructions provided by Project Engineers

The above checklist is provided as a guideline for contractors in complying with EEO contract provisions. For assistance please contact:

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