

APPENDIX II

AFFIRMATIVE ACTION COMPLIANCE (EEO OPTION B)

1. CONTACTING THE STATE EEO COORDINATOR'S OFFICE

If your construction contractor plans on complying with the State EEO Bid Conditions by utilizing EEO OPTION B as presented in item 4 of the Standard Contract Provisions, you MUST submit an acceptable Affirmative Action Program previously approved by the State EEO coordinator (phone 614-466-8380) prior to execution of the Sublease and Contract. **Remember**, you may only utilize this option if your construction contractor possesses an Affirmative Action Program that has been approved prior to the execution of the Sublease and Contract.

In order to provide you with further information on this option, the following information is presented to state the purpose and basic contents required in an acceptable Affirmative Action Program. Further information should be obtained from the State of Ohio, Equal Opportunity Division at 614-466-8380.

2. PURPOSE OF AFFIRMATIVE ACTION PROGRAMS

An Affirmative Action Program is a set of specific and result-oriented procedures to which a construction contractor shall apply every good faith effort. The objective of those procedures and efforts is to assure equal employment opportunity. An acceptable Affirmative Action Program will include an analysis of all trades employed by the construction contractor within the last year, with an explanation of whether females and/or minorities are currently being underutilized in any one or more trades. A necessary prerequisite to the development of a satisfactory Affirmative Action Program is the identification and analysis of problem areas inherent in minority employment and an evaluation of opportunities for utilization of minority group personnel.

3. BASIC CONTENTS OF AN AFFIRMATIVE ACTION PROGRAM

- a) Development or reaffirmation of the construction contractor's equal employment opportunity policy in all personnel actions.
- b) Formal internal and external dissemination of the construction contractor's policy.
- c) Establishment of responsibilities for implementation of the construction contractor's affirmative action program.
- d) Identification of problem areas (deficiencies) by organizational units and job classification.
- e) Establishment of goals and objectives by organizational units and job classification, including timetables for completion.

- f) Development and execution of action-oriented programs designated to eliminate problems and further designed to attain established goals and objectives.
- g) Design and implementation of internal audit and reporting systems to measure effectiveness of the total program.
- h) Compliance of personnel policies and practices with the sex discrimination Guidelines (41 CFR part 60-20).
- i) Active support of local and national community action programs and community service programs, designed to improve the employment opportunity of minorities.
- j) Consideration of ethnic minorities and women not currently in the work force having requisite skills who can be recruited through affirmative action measures.
- k) Summary data on applicant flow, hires, terminations and promotions, and training for the last 12 months or the last 100 applicants, hires, etc., whichever is less.

4. ANALYSIS OF INDIVIDUAL TRADES

- a) The minority population of the labor area surrounding the construction contractor's or subcontractor's job sites.
- b) The size of the minority unemployment rate in the labor area surrounding the construction contractor's or subcontractor's job sites.
- c) The percentage of the minority work force in the immediate labor area.
- d) The general availability of minorities having requisite skills in the immediate labor area.
- e) The availability of minorities having requisite skills in an area in which the contractor can reasonably recruit.
- f) The availability of promotable minority employees within the construction contractor's or subcontractor's workforce.
- g) The anticipated expansion, reduction, and turnover of the contractor's or subcontractor's work force.
- h) The existence of training institutions, capable of training minorities in the requisite skills.
- i) the degree of training the construction contractor or subcontractor is reasonably able to provide to make all job classes available to minorities.

5. MAINTAINING AN ACCEPTABLE AFFIRMATIVE ACTION PROGRAM

Goals, timetables and Affirmative Action commitments must be designed to correct any identifiable deficiencies. Where deficiencies exist and where numbers or percentages are relevant in developing corrective actions, the construction contractor shall establish and set forth specific goals and timetables. Such goals and timetables, with supporting data and analysis thereof, shall be a part of the construction contractor's written Affirmative Action program.

Where the contractor has not established a goal, his written Affirmative Action program must specifically analyze each of the factors listed above in and further must detail his reason for a lack of a goal. The goals and timetable should be attainable in terms of the construction contractor's analysis of deficiencies and his entire Affirmative Action program. Thus, in establishing his goals and timetables, the construction contractor should consider the results which could be reasonable expected from his good faith efforts to make his overall Affirmative Action program work. If he does not meet his goals and timetables, the construction contractor's "good faith efforts" shall be judged by whether he is following his program and attempting to make it work toward the attainment of his goals.

Support data for the above analysis and program shall be compiled and maintained as part of the construction contractor's Affirmative Action program. This data should include applicant flow data and applicant rejection ratios indicating minority status.

6. DETERMINING THE STATUS OF A CONTRACTOR'S COMPLIANCE

The status of a construction contractor's compliance with the Affirmative Action program requirements shall not be judged alone by whether or not he reaches his goals and meets his timetables. Rather, each construction contractor's compliance posture shall be reviewed and determined by reviewing the contents of his program, the extent of his adherence to his program, and his good faith efforts to make his program work toward the realization of the program's goals within the timetables set for completion.