

**APPENDIX I**

**AFFIRMATIVE ACTION COMPLIANCE (EEO OPTION A)**

1. GENERAL REQUIREMENTS:

If your construction contractor chooses to comply with the Affirmative Action Bidding Requirements by utilizing EEO OPTION A (as presented in item 4 of the Standard Contract Provisions), it must submit an **EEO CERTIFICATION CLAUSE THAT CERTIFIES THAT IT WILL ADOPT:**

- A. The Goals and Timetables of Appendix A of the State EEO Bid Conditions (See Paragraph 2, below) **AND, THAT YOU WILL ADOPT**
- B. The specific Affirmative Action Steps set out in Appendix B of the State EEO Bid Conditions (see Paragraph 3, below) **AND, THAT YOU WILL ADOPT**
- C. The Female Utilization Goals – Governor’s Amended Executive Order 84-9 of Appendix C of the State EEO Bid Conditions (see Paragraph 4, below.)

2. REQUIRED MINORITY PERCENTAGES (Appendix A of the State EEO Bid Conditions):

If your construction contractor plans on complying with the State EEO Bid Conditions by utilizing **OPTION A**, it must adopt the minority work hour utilization goals as listed below for Ohio Standard Metropolitan Statistical Areas. All percentages listed are in terms of percentages of minority work hours for each trade to be used by the contractor in a designated area. The project is located in Warren County, and you must use the minority percentages listed for Dayton, as shown below. In addition to the percentage given below, it is further required that the contractors statewide workforce be comprised of a minimum of 6.9% work-hour utilization for women.

**DAYTON**

TRADE

Asbestos Workers	11%
Boilermakers	11%
Carpenters	11%
Electricians	11%
Elevator Constructors	11%
Glaziers	11%
Ironworkers	11%
Lathers	11%
Operating Engineers	11%
Painters	11%

Plumbers	11%
Sheet Metal Workers	11%
Other Trades	11%

3. REQUIRED AFFIRMATIVE ACTION STEPS (Appendix B of the State EEO Bid Conditions):

The following Affirmative Action steps are directed at increasing minority utilization:

- (1) The contractor should maintain a file of the names and addresses of each minority and female referred to it by any individual or organization and what action was taken with respect to each such referred individual, and if the individual was not employed by the contractor, and the reasons therefore. If such individual was sent to the union hiring hall for referral and not referred back by the union or if referred back by the union or if referred, not employed by the contractor, the file should document this and the reason therefore.

To Demonstrate Compliance: Maintain a file of the names, addresses, telephone numbers, and craft of each minority and female applicant showing (a) the date of contact and whether the person was hired; if not, the reason, (b) if the person was sent to a union for referral, and the results (c) follow-up contacts when the contractor was hiring.

- (2) The contractor should promptly notify the State Contracting Agency when the Union or Unions with which the contractor has collective bargaining agreements does not refer to the contractor a minority or female worker referred (to the union) by the contractor, or when the contractor has information that the union referral process has impeded efforts to meet its goals.

To Demonstrate Compliance: Have a copy of letters sent, or do not claim the union is impeding the contractors' efforts to comply.

- (3) The contractor should disseminate its Equal Employment Opportunity policy within its organization by including it in any company newsletters and annual reports; by advertising at reasonable intervals in union publications; by posting of the policy; by specific review of the policy with minority and female employees; and by conducting staff meetings to explain and discuss the policy.

To Demonstrate Compliance: Have a written EEO policy which includes the name and how to contact the contractor's EEO Officer and (a) include the policy in any company policy manuals, (b) post a copy of the Policy on all company bulletin boards (in the office and on all job sites), (c) records, such as reports or diaries, etc., that each minority and female employee is aware of the Policy and that it has been discussed with them, (d) that the policy has been discussed regularly at staff meetings and (3) copies of newsletters and

annual reports which include the Policy.

- (4) The contractor should continually monitor all personnel activities to ensure that its EEO policy is being carried out, including the evaluation of minority and female employees for promotional opportunities on a quarterly basis and the encouragement of such employees to seek those opportunities.

To Demonstrate Compliance: Have records that the company EEO Officer reviews all: (a) monthly workforce reports, (b) hiring and terminations, (c) training provided on-the-job, (d) minority and female employees quarterly for promotion and encourages them to prepare for and seek promotion. The records should be the EEO Officer's job description, reports, memos, personnel files, etc., documenting the activities for possible discriminatory patterns.

- (5) The contractor should disseminate its EEO policy externally by informing and discussing it with all recruiting sources; by advertising it in news media, specifically including minority and female news media; and by notifying and discussing it with all subcontractors.

To Demonstrate Compliance: Have copies of (a) letters sent, at least six months or at the start of each new major contract, to all recruiting sources (including labor unions) requiring compliance with the Policy, (b) advertising, which has the EEO "tagline" on the bottom, and (c) purchase order and subcontract agreement forms will include or make reference to the State EEO Covenant, Appendix A or B of the Ohio Administrative Code 123:2-3-02.

- (6) The contractor should make specific and reasonably recurrent oral and written recruitment efforts directed at minority and women's organizations, and training organizations with the contractor's recruitment area.

To Demonstrate Compliance: Have a record either in a follow-up file for each organization or on the reverse of the notification letter sent under Item 1, above, of the dates, individuals contacted and the results of the contract from telephone calls or personal meetings with the individuals or groups notified under Item 1.

- (7) The contractor, where reasonable, should develop on-the-job training opportunities and participate and assist in all Department of Labor funded and/or approved training programs (including Apprenticeship) Programs relevant to the contractor's employee needs consistent with its obligations in the Bid Conditions.

To Demonstrate Compliance: Have records of contributions in cash, equipment supplied and/or contractor personnel provided as instructors for Bureau of Apprenticeship and Training approved or Department of Labor funded training programs and records of the hiring and training of minorities and females referred to Company by such programs.

- (8) The contractor should solicit bids for subcontracts (and joint ventures) from available

minority and female subcontractors engaged in the trades covered by the Bid Conditions, including circulation of minority and female contractors associations.

To Demonstrate Compliance: Have copies of letters or other direct solicitation of bids for subcontracts/joint ventures from minority/female contractors with a record of the specific response and any follow-up the contractor has done to obtain a price quotation or to assist a minority/female contractor in preparing or reducing a price quotation; have a list of all minority/female subcontracts awarded or joint ventures participated in with dollar amounts, etc.

4. FEMALE UTILIZATION GOALS - GOVERNOR'S AMENDED EXECUTIVE ORDER 84-9

Governor's Amended Executive Order 84-9 regarding women in the construction labor force, went into effect November 30, 1984. To be in compliance with this order, all contractors and all subcontractors must meet or exceed the goal of six and nine-tenths percent (6.9%) female utilization. This percentage of female utilization is expressed in terms of female hours of training and employment as a proportion of the total hours to be worked by the contractor's entire workforce in each craft or trade on all projects, both state and nonstate, in the State of Ohio during the performance of its State-assisted contract. No contractor's compliance shall be judged alone by whether or not goals and timetables are met. Rather, each contractor's compliance posture shall be reviewed and determined by examining the contents of the contractor's affirmative action plan or the contract compliance with the state's affirmative action plan and its good faith efforts to implement such program to meet the goals established. Reporting shall be done by the contractor on Input Form 29, Ohio Construction Information Reporting System, and submitting it to the State Equal Employment Opportunity Coordinator. Further questions concerning this should be addressed to the State Equal Opportunity Coordinator, 77 South High Street, 24th Floor, Columbus, OH 43266-0408. Phone: (614) 466-8380.