

A-41: COMMONLY ASKED QUESTIONS CONCERNING EQUAL OPPORTUNITY

COMMONLY ASKED QUESTIONS CONCERNING EQUAL OPPORTUNITY A PRECONSTRUCTION CONFERENCE HANDOUT

1. What are the responsibilities of the offeror or bidder to ensure equal employment opportunity?

The offeror or bidder must comply with the "Equal Opportunity Clause" and the "Standard Federal Equal Opportunity Construction Contract Specifications".

2. Are contractors required to ensure a comfortable working environment for all employees?

Yes. It is the Contractor's responsibility to provide an environment free of harassment, intimidation, and coercion to all employees and to notify all foremen and supervisors to carry out this obligation, with specific attention to minority or female individuals.

3. To alleviate developing separate facilities for men and women on all sites, can a contractor put all women employees on one site?

No. The Contractor must assign two or more women to each site when possible.

4. Are contractors required to make special outreach efforts to minority and female recruitment sources?

Yes. Contractors must establish a current list of minority and female recruitment sources, notify them when employment opportunities are available including on-the-job training and apprenticeship programs and record responses.

5. Must any efforts be made to record the number of minority and females applying for positions with construction contractors?

Yes. All contractors must maintain a current file of the names, addresses and telephone numbers of all minority and female applicants and document whatever action was taken.

6. What happens if a woman or minority is sent to the union by the Contractor and is not referred back to the Contractor for employment?

If the unions impede the Contractor's responsibility to provide equal employment opportunity, a written notification must be sent to the Director, Office of Federal Contract Compliance Programs, United States Department of Labor.

7. What efforts must be made by contractors to create entry level positions for women and minorities?

Contractors are required to develop on-the-job training programs or participate in training programs, especially those funded by the Department of Labor, to create positions for women and minorities relevant to the Contractor's employment needs.

8. Must any efforts be made by the Contractor to publicize their Equal Employment Opportunity (EEO) Policy?

Yes. The Contractor is responsible for notifying unions and training programs and request their cooperation as well as including it in any policy manual or collective bargaining agreement, and to publicize it in the company newspaper and annual report. Externally, the Contractor is responsible for including the EEO Policy in all media advertisements.

9. Must any in-service training programs be provided for staff to update the EEO Policy?

At least annually a review of the EEO Policy and the affirmative action obligations are required of all personnel employees of a decision making status. A record of the meeting including date, time, location, persons present, subject matter discussed, and disposition of the subject matter shall be maintained.

10. What recruitment efforts are made for minorities and women?

The Contractor must notify both orally and in writing, minority and female recruitment sources one month prior to the date of acceptance for apprenticeship or other training programs. The Contractor must also encourage present minority and female employees to recruit members of their own group.

11. Must any measures be taken to encourage promotions for minorities and women?

Yes. An annual evaluation must be conducted for all minority and female personnel to encourage these employees to seek higher positions.

12. What efforts must be taken to ensure that personnel policies are in accordance with the EEO Policy?

Personnel policies in regard to job practices, work assignments, etc., must be continually monitored to ensure that the EEO Policy is carried out.

13. Can women be excluded from utilizing any facilities available to men?

No. All facilities and company activities are non-segregated except for bathrooms or changing facilities to ensure privacy.

14. What efforts must be made to utilize minority and female contractors and suppliers?

None. However, records must be kept of all offers to minority and female construction contractors.

15. If a contractor participates in a business related association which does not comply with affirmative action standards, does this show his/her failure to comply?

No. The Contractor's obligation to comply is his own. If he makes every effort to assume that this group has a positive impact on EEO Policy and they fail to accept this attitude, it shall not be contrived as noncompliance on the part of the Contractor.

16. Would a contractor be in violation of EEO Policy and affirmative action if he set up one set of goals to include minorities and women?

Yes. There is a single goal for minorities and a separate single goal for women. The Contractor is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority.

17. Can a contractor hire a subcontractor who has been debarred from government contracts pursuant to EEO?

No. The Contractor must suspend, terminate or cancel any subcontractor who is in violation of the EEO Policy.

18. What effort must be taken by the Contractor to monitor all employment to ensure the company EEO policy is being carried out?

The Contractor must designate a responsible individual to keep accurate records of all employees which includes specific information required by the government.