

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
RE's EEO, ON-THE-JOB TRAINING AND DBE/ESBE AND SBE CHECKLIST**

This checklist is a supplement to EEO information contained in the Construction Procedures Handbook. This checklist is applicable to Federal funded and 100% State funded projects. It is designed to assist REs in obtaining appropriate documentation to assure Contractors' compliance with the contract specifications. REs should review this checklist with their respective Contractors before the start of work.

The Division of Civil Rights - Contract Compliance Unit will perform reviews to evaluate Contractors' compliance with the contract EEO, DBE/ESBE or SBE and Training Provisions.

The RE shall maintain a file of required documentation. All such documentation is to be supplied by the Contractor and each subcontractor holding a subcontract of \$10,000 or more for Federally funded projects and \$2,500 for State funded projects. This file should include all applicable items below with date received recorded.

PROJECT:

DP NO:

FED. PROJ.#

MINOR.GOAL _____% FEMALE GOAL _____% (Work Hours)

Dates Received

Subcontractors

	<u>Name</u> of Prime	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>
1. A copy of Prime Contractor's annual EEO Affirmative Action Program & Disadvantaged/Emerging/Small Business Enterprise approval letter (the approval letter also covers company EEO policy statement, designation of company EEO Officer & Approval of D/ESBE Affirmative Action Plan.) There is one approval letter issued for the prime contractor.						
2. A copy of the subcontractor's annual EEO Affirmative Action Program annual approval letter for each subcontractor holding a subcontract of \$2,500/\$10,000 or more.						

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Dates Received

Subcontractors

<u>Name of Prime</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>
<p>3. For Prime Contractor, copy of Notice of EEO Officer for each specific project and <u>DBE/ESBE Liaison Officer</u>. Their names, addresses and telephone numbers must be included. The above may be incorporated in one notice which must be posted on the project site and where applicants for employment apply.</p>						
<p>4. For Prime Contractor, and subcontractors, copies of EEO Policy commitment letters, signed and dated and referenced to the specific project to <u>employment referral agencies</u> such as: public and private employment agencies, State employment services, minority-oriented organizations, educational and vocational institutions, and other recruitment sources in the project locale.</p>						
<p>5. For Prime Contractor and subcontractors, copies of EEO policy commitment <u>letters to unions</u> must be posted in area (s) readily accessible to employees and applicants for employment. Also these letters must include request for unions' cooperation and a reply. These letters must be signed, dated and reference the specific project.</p>						
<p>A. Unions reply. (Also to be posted as in 5.) Must be signed, dated and reference the specific project.</p>						

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	Dates Received		Subcontractors			
	<u>Name of Prime</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>
6. Documents which indicate that the Contractor/subcontractor is an "Equal Opportunity Employer" e.g., employee applications, advertisements, payroll checks or envelopes showing the "Equal Opportunity Employer" legend. Other literature may include employee handbooks, bulletin board displays, and other appropriate communication media.						
7. Record of minutes or letter indicating Prime Contractor provided <u>EEO orientation to all project supervisory and office personnel</u> at the start of construction and at least every six months thereafter. (The Contractor should invite the RE and all subcontractors to these meetings. If a subcontractor does not attend they are to hold their own meeting and document it.) Must include date of meeting, list of attendees, including project supervisory personnel, specific items discussed.	<u>Start</u> <u>6 months</u>	<u>Start</u> <u>6 months</u>	<u>Start</u> <u>6 months</u>	<u>Start</u> <u>6 months</u>	<u>Start</u> <u>6 months</u>	<u>Start</u> <u>6 months</u>
8. Document or record indicating that the EEO officer or his representative has <u>made periodic EEO on-site inspections</u> of general working conditions; including employee interviews to uncover complaints of discrimination, wage disparity or other unfair treatment of site personnel. (The EEO officer should make EEO inspections <u>during the 1st month</u> of construction and every month thereafter and submit a memo of record to the RE. On short-duration jobs of less than six months, such inspections should be held at least once during the 1 st month of construction and at the 50% stage.) Must include date of inspection, who performed the inspection, names of employees interviewed, and findings of inspection.						

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Dates Received

Subcontractors

<u>Name of Prime</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>	<u>Name</u>
<p>9. A “<u>running-log</u>” of all <u>minorities</u> and <u>females</u> who perform work during the course of the project must be submitted monthly. (The names, addresses, job classifications, sex, ethnic group, dates started and the date and cause for termination must be included.)</p>						
<p>10. A <u>log of “walk-in applicants”</u> is to be submitted monthly. (This must include names, addresses, telephone numbers, ethnic group, sex, type of work sought, date of application and disposition of applicant.)</p>						
<p>11. Appropriate EEO and Labor/Wage Rate posters must be prominently displayed on the project site and where applicants for employment and all project workers will see them. Note: there are different posters for Federal funded projects, and State funded projects. <u>Any area where there is a box for contact info MUST display the contact information for NJDOT, not the prime contractor.</u></p>						

RE's EEO, ON-THE-JOB TRAINING AND DBE/ESBE AND SBE CHECKLIST

12. Received E-Mail notification from Contractor and/or subcontractor indicating submittal of monthly employment and wage data to the Department via the web based application using the electronic Form CC-257R Report. Form CC-257R must be submitted via the web based application within 10 days following the end of the month. To verify and ensure compliance, each month the Contractor and each subcontractor must also submit a printed "hard copy" of the electronic CC-257R Report to the RE., and an E-mail Confirmation receipt. Submission of this report also satisfies the requirement of the FHWA Form 1391.

Indicate: Month of Report, Date Received, Craft (s) in which goals are not being met, and date of your documented instructions to Contractor (s).

Indicate Contractor and subcontractors	Report Month	Date Rec'd.	GOALS NOT MET	Inst. Date	Report Month	Date Rec'd.	GOALS NOT MET	Inst. Date	Report Month	Date Rec'd.	Craft (s) Not Met	Inst. Date

RE's EEO, ON-THE-JOB TRAINING AND DBE/ESBE AND SBE CHECKLIST

13. Copy of the Monthly Report of Utilization of DBE/ESBE or SBE (CR-267) for the month.

The Contractor must submit directly to the RE with a copy to the Division of Civil Rights no later than the 5th of the month following month prepared.

14. Received a copy of the revised CR-266 - Schedule of DBE/ESBE or SBE Participation Plan

when there are any revisions (termination, substitution or replacement of subcontractors, changes in work items, including full and partial items, changes in \$ value of subcontracts proposed. Along with the DR-266, the Contractor must submit an explanation of why the changes are being requested, a CR-273, and if applicable, a CR-272 & CR-274 for each **new** DBE/ESBE/SBE firm listed on the revised CR-266. The Division of Civil Rights must approve all changes prior to them being made. Also, prior to termination, substitution and replacement, the Contractor must notify each DBE/ESBE or SBE firm in writing of their intent to replace, substitute or terminate, and allow the said firm 5 days to respond in writing to the Contractor and Civil Rights of the reason(s) why, if any, the firm objects to being replaced, substituted or replaced. Civil Rights MUST review and provide approval before any firm can be terminated, substituted or replaced.

15. Copy of the Final DBE/ESBE/SBE Report (CR-268) at the completion of the project.

Submittal of the Final D/ESBE/SBE Report (CR-268) at the completion of the project after all DBE/ESBE/SBE subcontractors are paid. Same distribution as above, Contractor submits original to the RE with a copy to the Division of Civil Rights. If the project goal is not met, the Contractor must include documented evidence of good faith effort to meet the goal, along with the CR-268.

Indicate Contractor	Report Month	Date Rec'd.

16. **TRAINING PROGRAM**

DATE SUBMITTED:

DATE APPROVED:

Name	Ethnic Group	M/F	Class.	Train. Contr.	DATES				TRAINING HOURS			Dates 1409s Rec'd.	Cert. of Compl. Date	Remark
					Guidelines to Trainees	Est. Start.	Actual Start.	Term. or Compl.	Program	Proposed	Compl.			

EEO, DBE/ESBE OR SBE & TRAINING DATA DUE CHART
DOCUMENT ALL EFFORTS BY CONTRACTOR AND EACH SUBCONTRACTOR

<u>NUMBERS REFER TO RE 'S CHECKLIST</u>	At Start	Monthly	Every 6 Months	Each Quarter	<u>At Compl.</u>	*KEEP CURRENT
1. Prime Contractor(s) Comprehensive EEO/AA and DBE/ESBE AAP (Approval Letter)	*					Annual approval letter. Keep current for each project.
2. Subcontractor's EEO AAP (Approval Letter)	*					Annual approval letter. Keep current for each project.
3. EEO & D/ESBE Liaison Officer Notice with name & contact info (Prime Contractor)	*					Keep current for each project
4. Letters to Referral Agencies	*					Signed, dated and referenced to project
5. Letters to Unions and Reply	*					Signed, dated and referenced to project
6. "Equal Opportunity Employer" Legend	*					Letterhead, fax, etc. that says "Equal Opportunity Employer" on it
7. Record of EEO Meetings(s) (Prime Contractor)	*		*			Second meeting required at 50% stage on short duration projects
8. Record of EEO On-site Inspections (Prime Contractor)		*				Date of inspection, who performed inspection, who was interviewed & findings
9. Running Log of Minorities - Females (Prime Contractor)		*				Include name, job classification, ethnic group, gender, start date & date and cause for termination.
10. Log of Walk-in Applicants (Prime Contractor)		*				
11. EEO & Labor/Wage-Rate Posters	*					Contact info on posters must be for NJDOT, not the Prime Contractor
12. Monthly Workforce Report/CC-257R w/Email confirmation of submission or AA-202		*				1 copy to be sent to RE & Civil Rights by the 5th of the month following the month reported
13. DBE/ESBE or SBE Form CR-267/268		*				Update as changes, additions, deletions occur. DCR/AA approval needed prior to changes occurring.
14. Training Program Submittal	*					All changes must be approved by DCR/AA prior to change.
A. Guidelines to Trainee						<u>When Trainee begins training</u>
B. Bi-Weekly Training Report CR-2		*				
C. Form CR-1409				*		
D. Certificate of Completion, CR-3					*	
15. Final DBE/ESBE or SBE Form CR-268					*	If Contract goal is not met, documented evidence of good faith efforts must be included with the form.