

**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

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

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