

# 16 affirmative action steps - EO 11246



## 1. Step 7A

Has the contractor ensured and maintained a working environment free of harassment, intimidation, and coercion at all sites and in all facilities at which the contractor's employees are assigned to work? The contractor, where possible, should have assigned two or more women to each construction project. The contractor should have specifically ensured that all supervisory personnel were aware of and carried out the contractor's obligation to maintain such a working environment, with specific attention to members of minority or women's groups working at such sites or in such facilities.

### Documentation

Is there notification to all supervisory staff to maintain a harmonious working environment? Does the EEO Officer monitor the work site? Are there analyses of reports? Is there a notice explaining where or how an individual may file a complaint?

## 2. Step 7B

Has the contractor established and maintained a current list of minority and women's recruitment sources, provided written notification to recruitment sources and to community organizations when it or its unions had opportunities available, and maintained a record of the organizations' responses?

### Documentation

Is there a list of minority and women's recruitment sources? Are there letters to these recruitment sources? Do the letters contain the company EEO policy, nature of Employment & Application Procedure? Are there records (letters, logs, diaries, or telephone logs) of responses? Are there records of hires, referrals or other follow-up?

## 3. Step 7C

Has the contractor maintained a file of the name, address, and telephone number of each minority and female walk-in applicant and minority-group person or woman referred from a union, recruitment source, or community organization, and the action taken with respect to each individual? If such individual was sent to the union hiring hall for referral and was not referred back to the contractor by the union, or if referred, was not employed by the contractor, this will be documented in the file with the reason therefore, along with whatever additional actions the contractor may have taken.

### Documentation

Was a file established for minority and women applicants listing at least the name, address, telephone number, craft, hire and/or referral action for each applicant? Was the application maintained in file for

six months or for the appropriate length of time that information is kept? Are there copies of follow-up correspondence, telephone logs, etc. detailing the contractor's follow-up? Are there records of hires, referrals or other follow-up?

#### **4. Step 7D**

Has the contractor provided immediate written notification to the OFCCP when the union or unions with which it has collective bargaining agreements did not refer to the contractor members of minority groups or women, or when the contractor had other information that the union referral process impeded the contractor's efforts to meet its obligations?

##### **Documentation**

Was there notification as required? (If applicable) Is a copy of the notification on file with the EEO Officer?

#### **5. Step 7E**

Has the contractor developed on-the-job training opportunities or participated in training programs for recruiting areas that expressly include members of minority groups and women (including upgrading programs and apprenticeship and trainee programs relevant to the contractor's employment needs), especially those programs funded or approved by the Department of Labor? The contractor should have provided notice of these programs to the recruitment sources compiled under Item 7b -Step 2.

##### **Documentation**

Did the company contribute equipment, personnel or funds to training programs? Are there receipts, canceled checks, reports, memos or collective bargaining agreements demonstrating the participation? Was there hiring from these training programs? Were minority and women's recruitment sources or schools notified of the programs?

#### **6. Step 7F**

Has the contractor disseminated its EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company's EEO policy on bulletin boards accessible to all employees at each location where construction work is performed?

##### **Documentation**

Have unions (if applicable) or training programs been notified by letter of the company's policy? Does the letter request their specific assistance and cooperation? Is the EEO policy included in the company policy manual and collective bargaining agreement (if applicable)? Is the EEO policy posted on company bulletin boards, in the office, and at the project sites? Has management discussed the EEO policy with minority and women employees? Has the policy been reviewed with all management personnel?

## **7. Step 7G**

Has the contractor reviewed, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff: termination, or other employment decisions, including specific review of these items with onsite supervisory personnel (superintendents, general forepersons, etc.) prior to the initiation of construction work at any site? A written record should have been made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

### **Documentation**

Is there an annual review of EEO policy and affirmative action obligations with supervisory staff? Is there a record of such a review with the time, place, attendees, subject matter discussed and disposition of subject matter?

## **8. Step 7H**

Has the contractor disseminated its EEO policy externally by including it in any advertising in the news media, specifically including minority and women's news media, and providing written notification to and discussing the contractor's EEO policy with other contractors and subcontractors with whom the contractor did or anticipated doing business?

### **Documentation**

Is there written notification to all recruiting sources at the start of all major contracts requiring compliance? Is the EO "tagline" included in all advertising? Is there notification to all contractors and subcontractors requiring compliance?

## **9. Step 7I**

Has the contractor directed its recruitment efforts, both oral and written, to minority, women's, and community organizations, to schools with minority and women recruitment and training organizations serving the contractor's recruitment area employment needs? Not later than one month before the date for the acceptance of applications for apprenticeship or other training by any recruitment sources, the contractor should have sent written notification to organizations such as the above, describing the openings, screening procedures and tests to be used in the selection process.

### **Documentation**

Is there personal and written contact on a recurrent basis with minority and women's recruitment organizations? Are the results of these contacts recorded, i.e., hires or referrals?

Was there identification of and personal contact on a recurrent basis with minority and women's recruitment organizations? Are the results of these contacts recorded, i.e., hires or referrals?

Was there identification of and personal contact on a regular basis with vocational, training, etc. schools with minority and women enrollments that can serve the contractor's needs? Have you written letters

to these organizations regarding training opportunities, including descriptions of openings, screening procedures, and tests to be used in the selection process?

Have you maintained copies of correspondence, calls (telephone logs), reports, diaries, etc., of your contacts?

## **10. Step 7J**

Has the contractor encouraged present employees to recruit other minorities and women? Where reasonable, did the contractor provide after school, summer, and vacation employment to minority and female youth both onsite and in other areas of a contractor's workforce?

### **Documentation**

Was there personal contact with minority and women employees about recruitment of other minorities and women? Were results of these contacts recorded, e.g., referrals? Were letters written to minority and women's recruitment sources about after school, summer, or vacation employment openings?

## **11. Step 7K**

Has the contractor maintained all required information and validated all tests and other selection requirements where there is an obligation to do so under Executive Order 11246?

### **Documentation**

Is evidence secured of conformance or validation of all Joint Apprenticeship Committee selection procedures (tests, etc.) and training requirements with the U. S. Department of Labor, Bureau of Apprenticeship and Training guidelines?

Are all selection, training or hiring procedures monitored for patterns of adverse impact of discrimination?

Are certificates, documents or records available which attest to the validity of a test or selection procedure?

## **12. Step 7L**

Has the contractor conducted, at least annually, an inventory and evaluation of all minority and female personnel for promotional opportunities, and encouraged these employees to seek or to prepare, through appropriate training, for such opportunities?

### **Documentation**

Is there an annual review of minority and women employees for promotional opportunities?

Is there encouragement of minority and women employees to seek promotional opportunities?

Are there activities or efforts to assist minority and women employees to prepare for promotion?

Does the EEO officer have appropriate job descriptions, records, analyses and diaries relating to the monitoring of personnel policies affecting minorities?

### **13. Step 7M**

Has the contractor ensured that seniority practices, job classifications, work assignments and other personnel practices had no discriminatory effect, and has it continually monitored all related personnel employment activities to ensure that the EEO policy and the contractor's obligations under these specifications were being carried out?

#### **Documentation**

Is there constant, specific monitoring of on-the-job training, referrals, lay-off, terminations, hiring and rejections for potentially discriminatory patterns or effects?

Is there review of collective bargaining agreements for EEO policy and potentially discriminatory practices and provisions?

### **14. Step 7N**

Has the contractor ensured that all facilities and company activities were nonsegregated, except for providing separate or single-user toilet and necessary changing facilities to assure privacy between the sexes?

#### **Documentation**

Is there "Certification of Non-Segregated Facilities" incorporated into all purchase orders and sub-contracts?

Are all announcements of company parties, picnics, etc. posted for general view?

Are company benefits provided on a nondiscriminatory basis?

Are there records for nondiscriminatory functions, e.g. attendance lists for functions, purchase orders, leases, etc.?

### **15. Step 7O**

Has the contractor documented and maintained a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations?

#### **Documentation**

Is there direct personal solicitation to minority and women contractors, suppliers, associations? Are contracts awarded on a discriminatory basis?

## **16. Step 7P**

Has the contractor conducted a review, at least annually, of all supervisors' adherence to and performance under the contractor's EEO policies and affirmative action obligations?

### **Documentation**

Is there a record of the contractor's annual review?

Is there monitoring of the supervisor's employment practices?

Is there notification to supervisors when adverse employment practices are detected?